

## SENATE

TUESDAY, AUGUST 17, 1954

*(Legislative day of Thursday, August 5, 1954)*

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty and eternal God, who dost bring forth Thy righteousness as the light and Thy judgments as the noon-day, in the presence of ageless realities we pause in reverence and, with a deepening sense of obligation, pray for courage to attempt, power to achieve, and patience to endure.

Grant that with these virtues we, who hold the birthright of democratic traditions, may meet the crisis of our time with avowed faith in them, praying as we work:

Faith of our fathers, we will strive  
To win all nations unto Thee,  
And through the truth that comes from  
God  
Mankind shall then be truly free.  
Faith of our fathers, holy faith.  
We will be true to Thee till death.  
In Thy name we pray. Amen.

## DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,

Washington, D. C., August 17, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FREDERICK G. PAYNE, a Senator from the State of Maine, to perform the duties of the Chair during my absence.

STYLES BRIDGES,  
President pro tempore.

Mr. PAYNE thereupon took the chair as Acting President pro tempore.

## THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 16, 1954, was dispensed with.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2259. An act for the relief of Rev. Charles V. Rossini;

S. 2980. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes; and

S. 3629. An act to postpone the effective date of the 3-percent "absorption" require-

ment in Public Law 874, 81st Congress, for 1 year.

The message also announced that the House had passed the bill (S. 2303) to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3627) to amend the Civil Service Retirement Act, as amended, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3482) to amend the District of Columbia Compensation Act, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9357) for the relief of S. H. Prather, Mrs. Florence Prather Penman, and S. H. Prather, Jr.

The message also announced that the House had agreed to the amendments of the Senate to the following bills of the House:

H. R. 8193. An act to amend the Refugee Relief Act of 1953; and

H. R. 8932. An act to reclassify dictophones in the Tariff Act of 1930.

The message further announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 227) favoring the granting of the status of permanent residence to certain aliens.

The message also announced that the House had passed a joint resolution (H. J. Res. 585) fixing the time of assembly of the 84th Congress, in which it requested the concurrence of the Senate.

## LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. GILLETTE was excused from attendance on the sessions of the Senate commencing tomorrow for the remainder of the week.

## ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Secretary will call the roll. The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Morning business is now in order.

## EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

## REAL ESTATE AND CONSTRUCTION LOANS BY NATIONAL BANKS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to permit national banks to make 20-year real estate loans and 9-month construction loans (with accompanying papers); to the Committee on Banking and Currency.

## SOIL SURVEY AND LAND CLASSIFICATION OF LANDS BENEFITED BY EDEN PROJECT, WYOMING

A letter from the Assistant Secretary of the Interior, certifying, pursuant to law, that an adequate soil survey and land classification has been made of the lands to be served by the Eden project, Wyoming, under the change in development plan, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

## SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

## GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE FILED BY CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

## MEMORIAL

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Republican Women's Club of Madison County, Mont., at Virginia City, Mont., protesting against the admission of Red China into the United Nations, which was referred to the Committee on Foreign Relations.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 2233. A bill to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes (Rept. No. 2489).

By Mr. BRICKER, from the Committee on Interstate and Foreign Commerce, without amendment:

H. R. 9115. A bill to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction (Rept. No. 2490).

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

S. 3840. A bill for the relief of Klyce Motors, Inc. (Rept. No. 2491).

#### ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, August 17, 1954, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 16. An act to permit the compelling of testimony under certain conditions and to grant immunity from prosecution in connection therewith;

S. 22. An act to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period;

S. 154. An act for the relief of George Pantelas;

S. 232. An act for the relief of Hugo Kern;

S. 546. An act to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam;

S. 1184. An act to authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in liquidation by the Department of State;

S. 1225. An act for the relief of Brunhilde Walburga Golomb Hartsworm;

S. 1308. An act for the relief of Leonard Hungerford;

S. 1706. An act to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes;

S. 1748. An act to incorporate the National Fund for Medical Education;

S. 1845. An act for the relief of Dr. Ian Yung-cheng Hu;

S. 1904. An act for the relief of Otilie Theresa Workmann;

S. 1959. An act for the relief of Mrs. Anne-Marie Namias;

S. 2420. An act to amend section 32 of the Trading With the Enemy Act;

S. 2456. An act for the relief of Martin Genuth;

S. 2461. An act for the relief of Berta Hellmich;

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof, and for other purposes;

S. 2958. An act for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller;

S. 3028. An act to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster;

S. 3085. An act for the relief of Mrs. Helen Stryk;

S. 3233. An act to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels;

S. 3239. An act to authorize conveyance of land to the State of California for an inspection station;

S. 3302. An act granting to the Las Vegas Valley Water District, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3303. An act granting to Basic Management, Inc., a private corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3379. An act to amend section 4 of the Flammable Fabrics Act, with respect to the standards of flammability in the case of certain textiles;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.;

S. 3487. An act to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes;

S. 3532. An act to provide for the partition and distribution of the assets of the Ute Indian Tribe of Uintah and Ouray Reservation in Utah between the mixedblood and fullblood members thereof; and for the termination of Federal supervision over the property of the mixedblood members of said tribe; to provide a development program for the fullblood members of said tribe; and for other purposes;

S. 3546. An act to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense;

S. 3769. An act to amend section 709 of title 18, United States Code, so as to protect the name of the Federal Bureau of Investigation from commercial exploitation;

S. 3816. An act to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.;

S. J. Res. 140. Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton; and

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GILLETTE:

S. 3877. A bill to accelerate establishment of comprehensive soil- and water-conserving works on private and public property through provision of appropriate credit for conservation, reforestation, and water-control work; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. GILLETTE when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself, Mr. NEELY, Mr. BEALL, Mr. MANSFIELD, and Mr. PAYNE):

S. 3878. A bill to amend the District of Columbia Unemployment Compensation Act; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG:

S. 3879. A bill to amend the Civil Aeronautics Act of 1938 in order to require in certain cases that air carriers provide transportation for additional baggage at air-freight rates; to the Committee on Interstate and Foreign Commerce.

S. 3880. A bill for the relief of Seiji Naya; to the Committee on the Judiciary.

By Mr. HENDRICKSON:

S. 3881. A bill for the relief of Mari Farabullini and Alla F. Farabullini; and

S. 3882. A bill for the relief of Renato Noe and Angela Noe; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 3883. A bill to amend section 37 of the Internal Revenue Code of 1954 so as to remove the discrimination against retired members of the Armed Forces of the United States; to the Committee on Finance.

#### LOANS FOR CONSERVATION, REFORESTATION, AND WATER-CONTROL WORKS

Mr. GILLETTE. Mr. President, I introduce for appropriate reference a bill to accelerate establishment of comprehensive soil- and water-conserving works on private and public property through provision of appropriate credit for conservation, reforestation, and water-control work. I do not expect to have the bill enacted at this session of Congress, but for introduction and study in the interim between the Congresses.

The present speed of establishment of conservation practices on our farms is not adequate. The chief bottleneck is long-term, low-cost credit. This bill is an effort to tailor credit for conservation programs.

Times are going to be harder for the farmer in months ahead. The rural work which would be done by the funds loaned under this bill's authority would have a beneficial effect in agricultural areas in this period of falling farm income.

Some idea of the magnitude of the conservation job still to be done in this country may be gained by looking at these figures:

Through the year 1952 soil conservation plans had been prepared for only 1,214,000 out of 5,100,000 farms in the United States, covering 350 million acres out of 1,100,000,000 acres of farmland. In Iowa, through December 31, 1952, plans had been prepared for only 37,235 out of our more than 200,000 farms, covering only 6,760,000 of our more than 34 million acres. A tremendous job remains to be done.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3877) to accelerate establishment of comprehensive soil- and water-conserving works on private and public property through provision of appropriate credit for conservation, reforestation and water-control work, introduced by Mr. GILLETTE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

#### INCENTIVE AWARDS TO OFFICERS AND EMPLOYEES OF THE UNITED STATES—AMENDMENTS

Mr. KNOWLAND submitted amendments intended to be proposed by him to the bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes, which were ordered to lie on the table and to be printed.



# FLOOD CONTROL ACT OF 1954— AMENDMENTS

Mr. MAGNUSON submitted amendments intended to be proposed by him to the bill (H. R. 9859) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, which were ordered to lie on the table and to be printed.

## EXECUTIVE REPORTS OF A COMMITTEE

Mr. SALTONSTALL. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably a group of nominations of flag and general rank in the Army and Navy, and ask that they be placed on the Executive Calendar.

The ACTING PRESIDENT pro tempore. The nominations will be received and placed on the Executive Calendar.

The nominations ordered to be placed on the Executive Calendar are as follows:

Maj. Gen. Henry Irving Hodes, United States Army, for appointment as commanding general, VII Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States;

Maj. Gen. John Howell Collier, United States Army, for appointment as commanding general I Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States;

Maj. Gen. Charles Edward Hart, United States Army, for appointment as commanding general, V Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States;

Lt. Gen. John Ernest Dahlquist, Army of the United States (major general, U. S. Army), for appointment as Chief, Army Field Forces, with the rank of general and as general in the Army of the United States;

Col. Elmer William Young, Veterinary Corps, United States Army, for appointment as brigadier general, Veterinary Corps, in the Regular Army of the United States;

Brig. Gen. James Holden Phillips and sundry other officers for temporary appointment in the Army of the United States;

Maj. Gen. Philip Charles Bettenburg and sundry other officers for appointment as Reserve commissioned officers of the Army;

Bruce E. Bradley and sundry other officers of the Staff Corps of the Navy for temporary appointment; and

George W. Anderson, Jr., and sundry other officers for temporary promotion in the line of the Navy.

Mr. SALTONSTALL. Mr. President, I also report favorably from the Committee on Armed Services the following nominations, and ask that they also be placed on the Executive Calendar:

Frank H. Higgins, of New York, to be Assistant Secretary of the Army;

Charles C. Finucane, of the State of Washington, to be Assistant Secretary of the Army;

William Birrell Franke, of New York, to be an Assistant Secretary of the Navy;

Trevor Gardner, of California, to be Assistant Secretary of the Air Force; and

Lyle S. Garlock, of Minnesota, to be Assistant Secretary of the Air Force, vice H. Lee White, resigned.

The ACTING PRESIDENT pro tempore. The nominations will be received and placed on the Executive Calendar.

Mr. SALTONSTALL. In addition to the above, I also report favorably from

the Committee on Armed Services a group of 8,408 routine nominations in the Navy in the grade of commander and below. In order to save the expense of printing in the Executive Calendar of this large number of names, which have already appeared once in the CONGRESSIONAL RECORD, I request that these nominations be ordered to lie on the Vice President's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. The nominations will be received and will lie on the desk, as requested by the Senator from Massachusetts.

## FAMILY QUARTERS FOR PERSONNEL OF MILITARY DEPARTMENTS

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KNOWLAND. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. CASE, Mr. DUFF, and Mr. STENNIS conferees on the part of the Senate.

## ACCUSATION OF FAVORITISM AGAINST THE PRESIDENT OF THE UNITED STATES

Mr. KNOWLAND. Mr. President, my attention has been called to an article which appeared in the morning newspapers. The particular newspaper I have in mind is the Baltimore Sun of this morning, in which Mr. Mitchell, chairman of the Democratic National Committee, is reported to have cast some reflections, I believe, upon the President of the United States.

I think the Members of the Senate know that I have not been a bitter or narrow partisan in my responsibilities in the Senate. I have expressed appreciation, and I express it again, for the cooperation we have received from the official leadership of the Democratic Party in the Senate, and from Senators on the other side of the aisle, in the handling of the very heavy and burdensome legislative program which we have been facing.

I regret very much when a statement is made which, in these troublous times, appears to me to cast reflection upon the President of the United States, and to tend to break down the confidence of the country in a man who has been called to the high responsibilities of the Presidency, and who has been elected to that office by an overwhelming vote of the American people.

Mr. President, it seems to me that if Mr. Stephen Mitchell has any information which indicates in any way that the

contract in question is either illegal, that undue influence has been used, or that any personal relationship between the President of the United States and any friend and neighbor, as he puts it, might have played a part, he owes it to the country, to his own party, and to a sense of responsibility to furnish any such facts to the Joint Committee on Atomic Energy or to the Department of Justice.

I regret very much that in the heat of what seems to be a growing political campaign, it cannot be kept on a level other than one of attacking the personal motives of the President of the United States.

Mr. COOPER. Mr. President, I heard with interest the comments which have been made by the distinguished majority leader. The Members of the Senate will recall that when the Dixon-Yates contract to which the article referred was being debated in the Senate in connection with the AEC bill I opposed vigorously, with all the strength at my command, the amendment which in effect approved the contract. I oppose now the conclusion of the contract. I still hold to the position I held then, when I said that I regretted that the contract had been made.

Yet, Mr. President, when I read the statement of Mr. Mitchell in the newspaper this morning, I had the same reaction which has been expressed by the distinguished majority leader. While I was very much opposed to the contract, yet there was never any question in my mind—and I so stated upon the floor of the Senate, that the President of the United States acted as he thought best and with sincerity to meet a power need which had been claimed by TVA as existing in the Memphis area.

I have no confidence in, and I do not believe in any degree or in any way, the statement impugning the President which has been made by the chairman of the Democratic National Committee, Mr. Mitchell. I do not believe there is any truth at all in his statement. The era of favoritism and of deals ended with the last administration. The people of the United States know the integrity of President Eisenhower.

Mr. REYNOLDS. Mr. President, in line with the remarks which have been made by the distinguished majority leader, let me say that doubtless there will be much more in the press in regard to the so-called Dixon-Yates contract. During the debate on the bill, there was much criticism of the contract, in regard to the policy of awarding a contract before the plant was built. That policy was severely criticized.

I think that somewhere along the line the RECORD should show that that policy is not a new one, but is a long-established policy of the Tennessee Valley Authority, particularly in respect to the TVA's purchases of coal. On more than one occasion the TVA has awarded coal contracts to persons who had no more of a coal mine than we have in this Chamber; yet, on the basis of such a contract, they financed a new mine. I point that out because the policy is not a new one; it is an established policy of the TVA. In my opinion so far as coal is

concerned the result of the policy has been anything but good; it has been very detrimental to the coal industry, and has been of no benefit to the consumers of TVA, and has cost the United States Treasury untold thousands of dollars in tax funds.

The purpose of my remarks is simply to point out that the policy which was invoked in the awarding of the Dixon-Yates contract is not a new policy insofar as the Tennessee Valley Authority is concerned.

The ACTING PRESIDENT pro tempore. Is there further morning business?

If not, morning business is closed.

#### AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the amendments of the House of Representatives to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

The ACTING PRESIDENT pro tempore. The clerk will state the unanimous-consent agreement, for the information of the Members of the Senate.

The legislative clerk read as follows:

*Ordered*, That on Tuesday, August 17, 1954, following the morning business, further debate on the amendments intended to be proposed by the Senator from Maryland [Mr. BUTLER], and read, to House amendments to S. 3706, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes, shall be limited to 3 hours, to be equally divided and controlled, respectively, by the Senator from Maryland [Mr. BUTLER] and the Senator from Texas [Mr. JOHNSON]: *Provided*, That debate on each further amendment to the House amendments shall be limited to 30 minutes, to be equally divided and controlled, respectively, by the mover of such amendment and the Senator from Maryland [Mr. BUTLER] in the event he is opposed to the amendment; otherwise, by the minority leader [Mr. JOHNSON of Texas]; *And provided further*, That all amendments must be germane to the subject matter of the said bill.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Texas will state it.

Mr. JOHNSON of Texas. If the suggestion of the absence of a quorum were to be made at this time, would it be covered by the unanimous-consent agreement which has been entered?

The ACTING PRESIDENT pro tempore. The Chair is advised that a quorum can be had at this time only by unanimous consent.

Mr. JOHNSON of Texas. Then, Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without having the time required therefor charged to either side under the unanimous-consent agreement.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JOHNSON of Texas. The Senator from Maryland [Mr. BUTLER] has offered amendments. Are those amendments pending?

The ACTING PRESIDENT pro tempore. They have not yet been called up.

Mr. JOHNSON of Texas. Does the Senator from Maryland propose to call up his amendments?

Mr. BUTLER. Yes, I do.

Mr. JOHNSON of Texas. May I ask the Senator from Maryland if he proposes to take further time on those amendments?

Mr. BUTLER. As I understand, we have one and a half hours on each side.

Mr. JOHNSON of Texas. My understanding is that 15 minutes is allowed to each side on an amendment.

Mr. BUTLER. I have already explained the amendments. I think there can be absolutely no question as to 3 and possibly 4 of the amendments. I had not proposed to take additional time, unless I felt time was required to answer the opponents.

Mr. JOHNSON of Texas. Mr. President, what is the parliamentary situation? The Senator's amendments "8-16-54-A" have been printed. Does the Senator from Maryland propose to call those up at this time? If the Senator does call them up, then will there not be 15 minutes available for each side?

The ACTING PRESIDENT pro tempore. The Chair will state that the amendments of the Senator from Maryland en bloc are entitled to 3 hours of debate, divided between the mover of the amendments, the Senator from Maryland, and the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. KNOWLAND. Does the situation not come down to this: So far as the amendments of the Senator from Maryland are concerned, they are to the amendments of the House of Representatives to Senate bill 3706. The normal motion would be to concur in the House amendments. The motion of the Senator from Maryland would ultimately be first to amend the House amendments and then to concur in them as amended. On the amendments of the Senator from Maryland there would normally be 15 minutes to a side, but on the question of concurrence itself there would be 3 hours. I assume, as under our normal unanimous-consent agreements, it would not make very much difference how the time was used, because the time could be used on the question of concurrence in the amendments, if it were necessary.

I think as I actually worded the unanimous-consent agreement, the amend-

ments offered by the Senator from Maryland were included en bloc in connection with general concurrence.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BUTLER. If I should move that the Senate concur in the House amendments with the amendments I intend to offer, what would be the effect of such a motion?

The ACTING PRESIDENT pro tempore. If the Senate should agree to the motion, that would be conclusive action on the bill.

Mr. BUTLER. Would the bill then be open to further amendment?

The ACTING PRESIDENT pro tempore. Not if the Senator moved to concur, with his amendments, and the motion were agreed to.

Mr. KNOWLAND. Mr. President, let me ask the Senator from Maryland not to move to concur, but rather that he offer his amendments, so that the offering of any other amendments, if there are any to be offered, will not be foreclosed. I think that was the spirit of the unanimous consent agreement; that after a night of study of further amendments, if amendments were to be offered, they might be offered under a 15-minute limitation to a side.

Mr. BUTLER. Mr. President, in consonance with the unanimous consent agreement, I now offer my amendments designated "8-16-54-A."

The ACTING PRESIDENT pro tempore. The clerk will state the amendments.

The LEGISLATIVE CLERK. In section 2, it is proposed to strike out the word "other" where it appears in the second, third, fifth, and sixth sentences of such section, and in the fifth sentence of such section insert in lieu of the word "other" the word "political."

In section 4, after the words "Labor Relations Act", add the words "as amended."

In section 5, strike out the word "knowingly" each of the three times it appears therein.

In section 8, in subsection (b) of the text of the proposed new section 13A, insert after the word "may" a comma and the words "within six months after such determination,"; and strike out the last fourteen words of such subsection.

In section 8, subsection (e) of the text of the proposed new subsection 13A, strike out "be required to determine" and insert in lieu thereof "consider."

In section 8, in each of subparagraphs (1), (2), (3), (4), (5), (6), and (7) of subsection (e) of the text of the proposed new subsection 13A, strike out the word "whether" where it appears at the beginning of such subparagraph, and insert in lieu thereof the words "to what extent, if any."

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JOHNSON of Texas. Do Senators have 30 minutes on these specific amendments, or 3 hours?



The ACTING PRESIDENT pro tempore. On the motion of the Senator from Maryland to concur—

Mr. JOHNSON of Texas. Mr. President, I am not asking about the motion. I am merely asking about the amendments the Senator from Maryland has offered.

The ACTING PRESIDENT pro tempore. They are part of the question involving the concurrence with the House amendments, and action upon the amendments en bloc. The total time is covered under the 3-hour limitation.

After action is taken on this matter, any amendment which is offered to the amendments of the Senator from Maryland will be governed by the 30-minute limitation.

Mr. JOHNSON of Texas. The ruling is that there is available to each side for debate on the pending amendments 1½ hours?

The ACTING PRESIDENT pro tempore. That is correct; and on the motion to concur.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BUTLER. Does the debate of 3 hours on the question of concurrence and the question of agreeing to the amendments submitted by the Senator from Maryland foreclose the offering of any other amendment to the bill?

The ACTING PRESIDENT pro tempore. If the Senator withholds his motion to concur and offers his amendments, amendments then will be in order to the Senator's amendments and also to the bill, after the Senator's amendments are disposed of.

Mr. BUTLER. The bill would then be open to further amendment, after the pending amendments are disposed of?

The ACTING PRESIDENT pro tempore. The House amendments would be; yes.

Does the Senator from Maryland desire that the amendments which he has offered be considered en bloc?

Mr. BUTLER. I have so requested, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President—

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. JOHNSON of Texas. I am prepared to yield to any Senator desiring time to oppose the pending amendments such time as he may desire, or as may be reasonable.

Mr. LEHMAN. A parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. LEHMAN. Am I correct in assuming that the vote on concurrence will not be had at this time?

The ACTING PRESIDENT pro tempore. The Senator from Maryland has merely offered his amendments to the House amendments.

Mr. LEHMAN. I just wished to make sure.

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished Senator

from New York [Mr. LEHMAN] 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. LEHMAN. Mr. President, I shall not speak on the subject of concurrence at this time. It is quite probable I shall wish to do so later in the morning.

I desire to address myself at this particular time to a discussion of section 8 of the pending bill, which is described as "Proceedings with respect to Communist-infiltrated organizations." My colleagues will recall that when this bill, in its original form, was before the Senate last week I strongly opposed it. Later, when the provisions now in question were offered by Senator DANIEL as an amendment to the Humphrey substitute, I voted against it. I believe I was the only Member of the Senate who did so.

I voted against it because I felt that these provisions are so dangerous to the rights of organized labor, and possibly other organizations—but mainly to the rights of organized labor—that they should not be adopted. I was a cosponsor of an amendment offered as a substitute by the senior Senator from Washington [Mr. MAGNUSON], asking that a commission be appointed to study and carefully consider this entire subject, and to report back to the Senate by January 15, 1955.

The Commission, it will be recalled, was to be appointed by the President of the United States, and was to consist of 12 persons, chosen in equal numbers from labor, industry, and the public. That would have been the sane and sensible thing to do. But the Magnuson substitute was defeated, and the Butler bill provisions were approved.

The bill in section 8 provides that whenever the Attorney General has reason to believe that any organization is Communist-infiltrated, he may file with the Subversive Activities Control Board and serve upon such organization a petition for determination that such organization is a Communist-infiltrated organization.

Thereupon, if the Subversive Activities Control Board decides that in its opinion the organization—the labor union—is Communist-infiltrated, the members of such union lose their rights to access to the National Labor Relations Board, which was created, as we know, for the purpose of conserving the rights of both labor and industry.

I believe these provisions place in the hands of the Attorney General and of the Subversive Activities Control Board powers far too great to give to any individual or board. I do not raise any question with regard to the good faith and integrity and fairness of the present Attorney General. But we do not know how long he will be in office.

The provisions in question unquestionably give to an Attorney General who might be unfriendly to labor, a broad grant of authority which could be used in the future for the destruction of good non-Communist labor unions, the crippling of the rights of organized labor, and the right of labor to organize in areas in which it has not yet organized or in which its standing is not very secure.

I believe these provisions affect every man and woman in the organized labor movement. I do not know of any case where equivalent powers have been given to any one official of government.

All this is being done on the ground that there may be a certain number of Communists in the labor movement. If the bill were confined to the purpose of eliminating these individuals from the labor movement, I would have no objection. Of course, I agree fully that the Communist Party in this country is a conspiracy against our security and that it proposes and seeks to overthrow the Government of the United States by force, if necessary.

But this bill, in its present form, does not eliminate Communists from labor unions. It eliminates the labor unions.

The bill gives arbitrary powers to the Attorney General. I think this bill is useless, from a practical viewpoint, in achieving its avowed objectives, because of the time it will take to force a final decision. The bill gives the right to any union charged with being Communist-infiltrated to seek redress in the courts. We know what great delay that means.

It is right, of course, that a labor union or any other body should have redress by appeal to the courts. However, the delay which will ensue will completely prevent any successful effort on the part of the Government to clean the house of the labor movement. It can only hurt unions. It cannot cleanse them of Communist influence.

When I spoke on the floor of the Senate a few days ago, I pointed out that when the Internal Security Act was passed in 1950, I predicted it would take at least 2 years to force a decision against the Communist Party. I was far too conservative when I predicted a delay of 2 years. We are now about to go into 1955. Nearly 4½ years have elapsed, and a final decision has not yet been reached with regard to whether the Communist Party itself is a subversive organization.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. LEHMAN. My time is limited.

Mr. FERGUSON. The Senator says no decision has been reached. Is he familiar with the fact that a Federal district court has held—

Mr. LEHMAN. I was coming to that in a minute. No final decision has been reached. I am informed that the case has not even been considered by the Supreme Court of the United States. Of course, until it is heard by the Supreme Court there can be no final decision. That delay of 5 or 6 years will be duplicated in hundreds of cases, because in every one of the cases an appeal will be taken. In the meantime the arm of the Government and the power of the unions themselves will be completely paralyzed.

The great national unions have done a good job in cleaning house. The CIO expelled 9 of its affiliated unions because they were Communist infiltrated. Of the million or more men and women who belonged to these unions, more than three-fourths have now joined unions in which there is no Communist influence.

I believe we would proceed far more rapidly and far more effectively—

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LEHMAN. May I have 2 more minutes?

Mr. JOHNSON of Texas. Mr. President, I yield the distinguished Senator from New York 2 additional minutes.

Mr. LEHMAN. I believe we would proceed far more effectively and far more rapidly if we continued, as we have to date, to strengthen and to help the labor unions to clean house, rather than to impede them, rather than to make it impossible for them to take effective action. In the meantime, Mr. President, we are subjecting every labor union in this country to the threat of interference and of crippling action by the Government as represented by an Attorney General, who, as I have said, may be inimical or unfriendly to organized labor.

I believe that this amendment, section 13A, will work against the efforts of the country to rid the labor movement of the infiltration of Communists, and it will do absolutely no good. It will continue so long as it may remain on the statute books, to be a real threat against the welfare and the rights of organized labor.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed without amendment the bill (S. 3873) to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States.

The message also announced that the House had passed the bill (S. 3628) to amend Public Law 815, 81st Congress, in order to extend for 3 additional years the program and assistance for school construction under title III of that act, with amendments, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor-vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purpose; and

H. R. 9962. An act to increase by 5 percent the rates of pension payable to veterans and their dependents.

#### AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the amendments of the House of

Representatives to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I should like to ask the Senator from Tennessee if he desires time.

Mr. KEFAUVER. Yes, I do.

Mr. JOHNSON of Texas. Has the Senator from New York concluded?

Mr. LEHMAN. I have concluded.

Mr. JOHNSON of Texas. How much time does the Senator from Tennessee desire?

Mr. KEFAUVER. Ten minutes.

Mr. JOHNSON of Texas. I yield 10 minutes to the Senator from Tennessee.

Mr. KEFAUVER. At this time I wish particularly to ask the distinguished Senator from Maryland [Mr. BUTLER] a few questions about what his amendments will do, and about what will happen under the House bill with reference to the Internal Security Act, and also the Smith Act.

In the first place, as I read the amendments of the distinguished Senator from Maryland, they are largely clarifying amendments, and do not materially change the basic provisions of the House bill. Is that substantially correct?

Mr. BUTLER. That is correct.

Mr. KEFAUVER. After studying the amendments of the distinguished Senator from Maryland, I feel they are well considered, improve the terminology, make clear the meaning, and set forth what is intended to be done by the House bill. I think the amendments are good, will make the proposed legislation more understandable, and will clarify some possible legal objections which might be raised against the bill.

So that we may know the exact situation which confronts us, I may say that some think this bill will outlaw the Communist Party; others hold the opinion that it will make membership in the Communist Party a crime; others have expressed the fear, as I had the fear concerning the original Senate bill, that it would take the underpinning from the Internal Security Act, and would probably also hamper the administration of the Smith Act.

The bill, as it is presently written, does not actually make the Communist Party illegal. Is that not correct?

Mr. BUTLER. In my opinion, the bill outlaws the Communist Party and makes it illegal. It strips the Communist Party of all its rights, privileges, and immunities under the Constitution of the United States and all laws of the United States.

Mr. HUMPHREY. Mr. President, will the Senator yield to me at that point?

Mr. KEFAUVER. I have one other question I should like to ask and then I will yield. If the Senator from Maryland correctly states the situation, then what effect will the bill have upon section 7 of the Internal Security Act, which requires any Communist organization to register with the Attorney General? Will not the privilege of the fifth amendment be available to an organization as well as to an individual?

Mr. BUTLER. The privilege against self-incrimination is an individual privilege. It does not apply in any manner to an organization. My amendments do not deal with members at all. They strip the Communist Party of all its legal rights, privileges, and immunities. They unmask the Community Party for what it is—a conspiracy to overthrow the Government of the United States by force and violence.

Mr. KEFAUVER. I inferred from one of the amendments that the Senator was trying to describe the Communist Party not as being a party, but as being a totalitarian or Communist conspiracy. Under the House bill, is the Communist Party a party, or is it something else?

Mr. BUTLER. The first amendment I offered goes to that point, and that point alone. If the Senator will read the preamble to section 3, he will find that it refers to the Communist Party and then to other parties. We delete the word "other" to clearly show that the Communist Party is not a political party. That is the purpose of the first amendment.

Mr. KEFAUVER. What is the motive of the Senator's amendment in striking out the word "other"?

Mr. BUTLER. Let me read the language of section 2:

The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties—

We would strike out the word "other" because we do not want to denominate the Communist Party as a political party when it is in fact a conspiracy.

Mr. KEFAUVER. In fact, then, the bill, with the Senator's amendment, does not outlaw any party. It outlaws a conspiracy.

Mr. BUTLER. That is correct. We do not want to call the Communist Party a political party, and we do not outlaw it as such.

Mr. KEFAUVER. So no party, as such, is outlawed by the House bill with the Senator's amendment.

Mr. BUTLER. That is correct.

Mr. KEFAUVER. It outlaws a conspiracy.

I should like to return to the question of what effect this will have on section 7 of the Internal Security Act. I have here the Internal Security Act, section 7 of which reads in part:

(a) Each Communist-action organization (including any organization required, by a final order of the Board, to register as a Communist-action organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations—

In other words, under the Internal Security Act, the Communist Party must register. I have had many misgivings about this. No convictions have been obtained so far. I understand the Government hopes to win this case in the court of appeals and get a final decision on it in the Supreme Court and since the Internal Security Act is the law of the



land I would like to see it given a fair trial. I hope it may be effective in dealing with the Communist problem.

My question is: Is the Senator absolutely certain that by making illegal the so-called Communist conspiracy, whether it is called a party or something else, we are not giving those who would be called on to register under the Internal Security Act, a constitutional immunity which would protect them in not doing so?

Mr. BUTLER. I think I can say to the Senator positively that such will not be the case. Furthermore, in order to make assurance double sure, if the Senator will refer to the proviso on page 16, at line 16, he will see that it is expressly stated in the House amendment:

*Provided, however, That nothing in this section shall be construed as amending the Internal Security Act of 1950, as amended.*

Mr. KEFAUVER. Of course, I have read that provision, but one or the other of two things must be true. Either it will undermine the Internal Security Act, or it will not do so, by the substance of what it does rather than by some provision that is added.

If the bill outlawed a person, which I understand it does not do, in other words, if it related to a person—then, undoubtedly, such person could refuse to register with the Attorney General under the Internal Security Act, because he would be protected in not doing so by the fifth amendment. Is that not correct?

Mr. BUTLER. I think that is correct.

Mr. KEFAUVER. Then the Senator must make a differentiation, within the terms of the fifth amendment, between an organization and a person. Is that correct?

Mr. BUTLER. I am of the opinion the fifth-amendment privilege is a personal privilege and does not apply to an organization.

Mr. KEFAUVER. Frankly, since the matter came up last night, I have not had an opportunity to do research on the question. Does the Senator have any Supreme Court decisions holding that the privilege of the fifth amendment is not available to an organization, even though it be a voluntary organization of many people and not incorporated?

I know the Senator from Maryland is correct in saying that the privilege would not be available to a corporation, but I am not certain about its application to a voluntary association which calls itself a party, a league, or something of that sort, and which must act through persons.

Mr. BUTLER. Such a voluntary association, under the laws of most of the States, when it consists of seven or more members, is, in fact, an entity, and can be sued as such.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. KEFAUVER. Mr. President, will the Senator from Texas yield me 10 additional minutes?

Mr. JOHNSON of Texas. I yield 10 additional minutes to the Senator from Tennessee.

Mr. BUTLER. While I do not have at my fingertips the Supreme Court opinions, there are opinions which hold that the fifth-amendment privilege is a personal privilege and is not available to a corporate body or other organization.

Mr. KEFAUVER. I think the Senator from Maryland is correct with respect to a corporate body; but a voluntary association or a partnership or association exists only by virtue of the individuals who compose it. As the Senator well knows, when one sues a partnership, he sues A, B, and C, doing business under a firm name.

Mr. BUTLER. That is correct.

Mr. KEFAUVER. Or if one sues an association, he must name the individual members of the association in order to attach personal liability against them.

So I ask whether we are, by what is proposed to be done by the amendment, picking out the substance of the registration provision of the Internal Security Act, which is one of the main provisions of the act.

Has the Senator any Supreme Court case, or has he briefed the question as to whether or not that would be the effect?

Mr. BUTLER. I have briefed the question, and there are cases. I do not have them available, but I may say again that the privilege under the fifth amendment runs only to a natural person, not to a corporation and not to an association.

Mr. KEFAUVER. Political parties, or some of them, ordinarily may be incorporated, but they need not be incorporated, as I understand the law. I do not know whether the Communist Party of the United States is or is not incorporated. Does the Senator from Maryland know?

Mr. BUTLER. I do not know.

Mr. KEFAUVER. Assuming the Communist Party of the United States is not incorporated, would not the officers and members of that party be able to avail themselves of the fifth amendment, so far as the Internal Security Act is concerned?

Mr. BUTLER. Only with respect to themselves; not with respect to the organization.

Mr. KEFAUVER. Then the Communist Party would exist only by virtue of individuals, if it is not a corporation.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate may dispose of a bill which is at the desk, and also appoint conferees on the military housing bill, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### RECESS APPOINTMENT OF COMPTROLLER GENERAL OF THE UNITED STATES—AUTHORIZATION OF PAYMENT OF SALARY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid

aside, and that the Senate proceed to the consideration of Senate bill 3868.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 3868) authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress.

Mr. JOHNSON of Texas. Mr. President, I ask for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

*Be it enacted, etc., That notwithstanding section 1761, as amended, of the Revised Statutes, any individual appointed by the President to the office of Comptroller General of the United States before the beginning of the first regular session of the 84th Congress may be paid the salary for such office as provided by law.*

SEC. 2. This act shall cease to be in effect upon the 41st day following the beginning of the first regular session of the 84th Congress unless prior to such day the President shall have submitted to the Senate a nomination to fill such office.

Mr. JOHNSON of Texas. Mr. President, as I understand, the time taken for the consideration of S. 3868 was not charged to the time of the Senator from Tennessee.

The PRESIDING OFFICER. It was not.

#### AMENDMENTS OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the amendments of the House of Representatives to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. KEFAUVER. I understand the Department of Justice would much rather have the information and the control it can have under what it hopes will be its right by virtue of the registration provisions of the Internal Security Act, rather than to have the party as such outlawed, because that would result in making it impossible to get the organization or its individual members to register.

In other words, if the amendment is designed to give those who otherwise would be required to register, the right not to do so, the Department of Justice and Mr. J. Edgar Hoover think it would be a very bad policy, because they are very anxious to drive out subversive persons, and they feel they will be making the most substantial progress possible under the registration provisions of the Internal Security Act.

So, if the Senator from Maryland is wrong in the assumption that these persons, or the association or club, or whatever it might be called, would not be entitled to the protection of the fifth

amendment, that would present a very serious problem.

Mr. BUTLER. It is my firm conviction that such is correct.

Mr. KEFAUVER. Does the Senator from Maryland feel absolutely certain that the fifth amendment will not be made available to any person, group, or association by virtue of the passage of the House bill and the Butler amendment?

Mr. BUTLER. I can assure the Senator from Tennessee that the Department of Justice and the persons who are interested in the bill are satisfied on that point.

Mr. KEFAUVER. I had understood that the Department of Justice was satisfied on the theory that the House bill, even with the Butler amendments, does not actually outlaw the Communist Party; and on the theory that the bill does not outlaw the Communist Party, the Department feels that it can still force registration under the Internal Security Act. But the legislative intent now being stated by the Senator from Maryland might be to the effect that the bill outlaws and declares illegal the Communist Party.

Mr. BUTLER. The legislative history being made here is of no importance unless the bill itself is ambiguous; and certainly the bill is not ambiguous.

Mr. KEFAUVER. I understand. That is the reason why I wish to make the intent very clear, because I am certain that the courts will pay a great deal of attention to the interpretation placed upon the bill by the distinguished Senator from Maryland.

Has the Senator from Maryland seen the editorial relating to this subject in the Washington Post and Times Herald this morning?

Mr. BUTLER. I am sorry, I have not. I was up quite late last night, and up early again this morning, working on other matters, so I have not had opportunity to read the newspapers.

Mr. KEFAUVER. For the purpose of the discussion, it might be well not simply to have the editorial included in the Record, but to read the editorial now, because it might throw light on the question.

Mr. BUTLER. I should very much like to have the Senator from Tennessee read it, because I have not done so.

Mr. KEFAUVER. It is the leading editorial in the Washington Post and Times Herald for today, August 17, 1954, and is as follows:

#### ANTI-COMMUNIST BILLS

The administration's backing away from the Senate bill to outlaw the Communist Party does not reflect any softness toward communism. The reverse seems to be true. Department of Justice officials are fearful that if the bill passed by the Senate last week should become law the result might be a breakdown of its present efforts to bring subversive activities under tighter control. It was that belief which led to the passage of a less drastic and also less reckless outlaw bill by the House yesterday.

For nearly 4 years the Department has been working to compel the Communist Party to register, to submit a list of its officers and members, and to make a public accounting for its funds. The findings of the Subversive Activities Control Board that the Com-

munist Party is a Soviet-dominated organization which must submit to these requirements of the present law are now before the court of appeals. If those findings are upheld, the Communist Party will presumably outlaw itself by refusing to obey the orders of the Board.

The bill passed by the Senate would cut the ground from beneath the Subversive Activities Control Act of 1950 by directly condemning the Communist Party and making membership in it (plus an overt act) a crime. Could the courts force an organization so outlawed to register and comply with the law? That is at least very doubtful. Some eminent lawyers believe that the only significant effect of the Senate bill would be to repeal the central provisions of the Subversive Activities Control Act. In any event, enforcement of the present law would be seriously confused, and several years would be required before the new law could be tested in the courts and made effective.

We have previously noted the amorphous character of the Senate bill. As amended, it would make membership in the Communist Party criminal only if it were combined with "any act designed to carry into effect the purposes of such Communist Party organization." This was an obvious attempt to give the bill better constitutional underpinning. But what does it mean? Would paying party dues be sufficient to show that a member was acting to carry out the subversive purposes of the organization, or would this require an attempt to overthrow the Government? In any event, it would be more difficult to convict a Communist under this formula than under the Smith Act. It is easy to see why the administration does not want to jump from the present law to anything so spongy as the Senate bill.

The measure accepted by the House is designed to avoid the weaknesses in the Senate bill by simply denying the Communist Party a place on the ballot and withdrawing other rights and privileges, while leaving penalties to be applied under the Smith Act and the Subversive Activities Control Act. All question about upsetting the latter act was removed by a provision saying specifically that the bill should not be construed as being in conflict with the SACA. This is a major improvement.

The objective to be sought is effective control over the Communist conspiracy. In our opinion, it is more likely to be attained under the House proposal. The House bill serves to eliminate whatever confusion may remain because of the Communists' claim to be just another political party. Yet it seems to stop short of undermining the basis on which leaders of the Communist conspiracy are now being brought to book.

Of course, I do not know with whom the able editor of the Post talked in writing the editorial, but it is a well written and, I take it, well-thought-out editorial.

Mr. BUTLER. I may say to the Senator from Tennessee, in all good nature, that I do not have to have the Washington Post tell me how the Attorney General and the administration feel about this bill. I have been in close contact with them, and I know the administration, the Attorney General, the Department of Justice, the legislative counsel, and the Legislative Reference Service of the Library of Congress, all concur that the sections pointed to by the Senator will not have any effect on the Internal Security Act.

I also point out to the Senator that the editorial is incorrect in one respect at least. The bill does not outlaw the Communist Party by making its activities criminal. It makes the Communist Party impossible. It destroys all of

its rights, privileges, and immunities, and strips it of all legal rights under the Constitution and the laws of the United States.

Mr. KEFAUVER. That is not what the Senator said a few minutes ago.

Mr. BUTLER. That is precisely what the Senator from Maryland said a few minutes ago.

Mr. KEFAUVER. The Senator said a few minutes ago that it completely outlaws the Communist Party.

Mr. BUTLER. It does. The Senator from Tennessee is equivocating with words.

Mr. KEFAUVER. I am not equivocating with words.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). The time of the Senator from Tennessee has expired.

Mr. KEFAUVER. Mr. President, I have too much time of the minority. Will the Senator from Maryland yield further time, so that we can discuss this matter?

Mr. JOHNSON of Texas. Does the Senator from Tennessee desire more time?

Mr. KEFAUVER. Yes.

Mr. JOHNSON of Texas. Mr. President, I yield the distinguished Senator from Tennessee 5 additional minutes.

Mr. KEFAUVER. As I understand from the Washington Post editorial and from what the Senator from Maryland is now saying, it would be legally possible to have a Communist Party, but the Communist Party would have no rights, privileges, or immunities. In other words, it could not be placed on the ballot, it could not be sued, it could not sue; it could not enjoy the privileges the other parties enjoy. Is that correct?

Mr. BUTLER. That is correct. The Smith Act controls what may be done as to the individual members, as does the Subversive Activities Control Act of 1950.

Mr. KEFAUVER. I take it the Senator now comes down to the point of view—

Mr. BUTLER. The Senator from Maryland does not come down to anything; the Senator from Maryland has been there right along.

Mr. KEFAUVER. Let me see where the Senator is. The Senator feels, anyway, that the bill takes away the rights, privileges, and immunities of the Communist Party, but does not actually outlaw it. Is that correct?

Mr. BUTLER. I think any time the rights, privileges, and immunities are taken away from any organization and it is stripped of rights under the law which other organizations enjoy, in effect, it is outlawed. If the Senator wants to equivocate with words, all right.

Mr. KEFAUVER. I am not arguing this question in a facetious manner.

Mr. BUTLER. I realize that. I am not taking it in that vein.

Mr. KEFAUVER. I hope the Senator will take it in a serious vein. All of us want to do the most effective thing against the conspiracy of communism.

Mr. BUTLER. I am taking it seriously. I think the Senator from Tennessee is bringing out in this colloquy some constructive questions.



Mr. KEFAUVER. That is my intention, because I think this is an important discussion.

As I understand, then, the bill does not place any burden upon the individual who is a member of this conspiracy, or party, or whatever one may want to call it. Is that correct?

Mr. BUTLER. No, it does not. That is the difference between the House amendments and the Senate bill.

Mr. KEFAUVER. I do not want to vote for anything which will void the registration provision of the Internal Security Act. I want it given an opportunity. So a person could be a member, and he would still have to register under the Internal Security Act?

Mr. BUTLER. That is true. He would be subject to the Smith Act if he actively advocated or taught communism.

Mr. KEFAUVER. By what legal conception could a person be a member of something which legally could not exist?

Mr. BUTLER. I did not hear the question.

Mr. KEFAUVER. How can one be a member of an organization which by law cannot exist?

Mr. BUTLER. I assure the Senator I am not going to worry about that.

Mr. KEFAUVER. If there can be no entity such as the Communist Party, how can a person be a member of an organization which by law does not exist?

Mr. BUTLER. If after the passage of the bill a person nevertheless is willing to become a member of what is known as the Communist Party, and register under the terms of the Internal Security Act, I assure the Senator from Tennessee that the Senator from Maryland is not going to worry about him.

Mr. KEFAUVER. I think these questions are going to be asked somewhere along the line, and I think it might be well to ask them now. Does the Senator now say that the Department of Justice believes—and I suppose its opinion would reflect Mr. Hoover's view—that the bill, if enacted into law, would not relieve any individual of the obligation of registering under the Internal Security Act?

Mr. BUTLER. There are persons who are today members of an illegal conspiracy. The only penalty they can be made to suffer is that provided by law. The same situation would apply if the pending bill were enacted into law.

Mr. KEFAUVER. The reason why I ask the question is that the Internal Security Act recognizes that there can be a legal entity, but that its members nevertheless must register and its members must do certain things. I do not by our action here today want to give any Communist or any association of Communists the right to refuse to register on the basis that to require them to do so would take away their rights under the fifth amendment. But the Senator is satisfied on that point, is he not?

Mr. BUTLER. We are hoping that the bill, when enacted into law, will discourage persons from becoming members of the conspiracy, but I do not know that I can say any more than I have said to convince the Senator that the bill will

not interfere with the registration provisions of the Internal Security Act of 1950.

Mr. KEFAUVER. I hope that will be the case. I must say that I think the bill raises many very complicated legal questions which are going to keep the courts busy for some time to come. I hope that getting the legal controversies into the courts will not interfere with the progress being made in the appeals of decisions in the courts of appeals in cases which were brought to court under the Internal Security Act. I feel that the Senator's amendments improve the House bill. In view of the Senator's opinion, which I share, that this will not interfere with prosecutions under the Smith Act or with the registration of Communists under the Internal Security Act I shall support the House bill with the Senator's amendments. This I believe to be the position of the Attorney General and of Mr. J. Edgar Hoover. However, if any amendment is added which will emasculate the Internal Security Act, until it has been given a fair chance to operate, I shall have to oppose the entire measure. I have confidence in Mr. Hoover as knowing more about handling the Communist problem than any of us and I think his position must be given great weight in these matters.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 1 additional minute to the Senator from Tennessee.

Mr. BUTLER. What the Senator has stated is exactly the reason why the amendments were made in the House. It was for exactly that reason.

Mr. KEFAUVER. Let me ask one other question. Many of us are concerned about the precedent of outlawing a particular group. Perhaps next year Congress will not like some other group. Perhaps 10 years from now Congress may not like another group. In the history of this Nation, is this a new approach to the problem? Have we ever outlawed any group before in the history of the United States? In the history of our Nation, has any group ever been outlawed or condemned as illegal by legislative enactment?

The PRESIDING OFFICER. The additional minute granted the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield an additional minute to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for an additional minute.

Mr. BUTLER. In reply, Mr. President, I would say to the Senator from Tennessee that if the Communist Party is an illegal conspiracy, there is no reason why it should not be outlawed.

Mr. KEFAUVER. I want the Congress to take the most effective action to combat and fight communism. I wish to be certain that we are using the most effective means, and that we are not setting precedents which will plague us in the years to come. Does the Senator from Maryland know of any group which

previously has been declared illegal, by act of Congress?

Mr. BUTLER. No, I do not.

Mr. KEFAUVER. Does the Senator from Maryland know the time in which such groups or persons will have an opportunity to present an appeal? I take it they will come before the Subversive Activities Control Board. Suppose the Attorney General decides that a certain group comes under the provisions of the House version of the bill? What right of appeal and judicial determination will such a person or organization have?

Mr. BUTLER. I cannot hear the Senator from Tennessee.

Mr. KEFAUVER. Suppose the Attorney General decides that a certain organization is Communist-infiltrated or Communist-dominated, and that it comes within the provisions of the House version of the bill?

The PRESIDING OFFICER. The additional minute granted the Senator from Tennessee has expired.

Mr. BUTLER. Mr. President, let me say—

The PRESIDING OFFICER. Does the Senator from Maryland yield some of the time under his control to the Senator from Tennessee?

Mr. BUTLER. I shall be happy to do so; I do not think we need to proceed for more than 2 minutes further. So I yield an additional 2 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 2 minutes more.

Mr. KEFAUVER. Mr. President, will the Senator from Maryland explain the right of appeal and judicial review which such an organization or group might have?

Mr. BUTLER. As I understand, if the Attorney General believes that a certain organization comes within the proscription of this act, he will file a petition before the Subversive Activities Control Board, and a hearing will be held before that Board. If the Board finds the organization is Communist-infiltrated, certain sanctions will be invoked against it; and if it is a labor organization or an employer of labor, it will lose any rights it would otherwise have under the National Labor Relations Act. It will have all rights of appeal to the courts, and it can probably avail itself of the Administrative Procedure Act.

Mr. President, let me say, in further response to the question asked by the Senator from Tennessee, that those rights are provided by the Internal Security Act of 1950 and the Administrative Procedures Act.

Mr. KEFAUVER. Under which of those acts would such a person or group take an appeal? Would it be under the Internal Security Act?

Mr. BUTLER. Yes, the appeal would be taken under the Internal Security Act.

Mr. KEFAUVER. How about the Administrative Procedures Act?

Mr. BUTLER. No; such a person could not take an appeal under the Administrative Procedures Act, but he may

be able to avail himself of the provisions of the act.

Mr. KEFAUVER. In other words, insofar as counsel and a record would be concerned?

Mr. BUTLER. Perhaps he could take advantage of the provisions of the Administrative Procedures Act; I am not positive about that. But he would take his appeal under the Internal Security Act.

Mr. KEFAUVER. Mr. President, I certainly thank the Senator from Maryland. I shall support his amendments, and since there is a finding based on many years of experience that the Communist Party is an international conspiracy, I feel justified in supporting the House bill. However, while I did not vote for the internal security bill, I now feel it may do some good and should at least be given the support of Congress and I hope that nothing will be put into the present bill which will destroy the 3 years of labor of the Department of Justice in trying to make an effective instrument out of the internal security bill. I believe the internal security bill and the Smith Act plus a section 2 of the House bill offer the best program of ridding the country of communism and this is the goal of all of us.

Mr. BUTLER. Mr. President, I do not want any more of my time to be used at this point.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 15 minutes to the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 15 minutes.

Mr. HUMPHREY. Mr. President, I wish to direct my attention to the bill, section by section.

First of all section 2 of the bill which now is on the desk of Senators, on page 14 contains what are called Findings of Fact. The amendments the Senator from Maryland has submitted to section 2 are technical in nature; they are in the nature of clarifications, so there can be no doubt whatsoever that the Communist Party, which is alleged to be a party, does not have the same functions, the same purposes, or the same activities that an ordinary legitimate political party has.

Mr. BUTLER. That is the purpose of the amendments.

Mr. HUMPHREY. I think those amendments are desirable. They would improve what we might call the grammatical text of section 2.

Mr. BUTLER. That is correct.

Mr. HUMPHREY. Section 2 establishes on the part of Congress a finding to the effect that the Communist Party is, in fact, an instrumentality of a conspiracy to overthrow the Government of the United States. There can be no doubt as to the power of Congress to outlaw this, Mr. President.

In the case of *Communications Association v. Douds* (339 U. S. 382, 431), Mr. Justice Jackson made the following comment:

Every member of the Communist Party is an agent to execute the Communist program.

There is certainly sufficient evidence that all members owe allegiance to every detail of the Communist Party program and have assumed a duty actively to help execute it, so that Congress could, on familiar conspiracy principles, charge each member with responsibility for the goals and means of the party.

Such then is the background which Congress could reasonably find as a basis for exerting its constitutional powers, and which the judiciary cannot disregard in testing them.

That is the end of the citation from the case of *Communications Association v. Douds* (339 U. S. 382, 431), with Mr. Justice Jackson speaking for the Court.

Mr. President, I would have the Record note that Mr. Justice Jackson in that case, when speaking for the Court, pointed out that while the Communist Party is within itself a conspiracy—

Congress could, on familiar conspiracy principles, charge each member with responsibility for the goals and means of the party.

That is a very significant passage, and it has already become law in the United States, in the sense that court law is controlling law.

What the Court said in that case—and it has not previously been brought out in this connection—is that not only is the Communist Party a conspiracy, but that Congress has within its constitutional powers—and I wish my lawyer friends to listen—the right to cite each member of the Communist Party as a part of the conspiracy—each member, as the decision of the Court reads, “with responsibility for the goals and means of the party.”

Mr. GORE. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. GORE. Was not that the purport and effect of the amendment in the nature of a substitute, submitted by the distinguished Senator from Minnesota?

Mr. HUMPHREY. That is correct, because I believe, first of all, that it is within the constitutional power of the Government of the United States to outlaw the Communist Party as a conspiracy. If we make the declaration or finding that it is a conspiracy, we can then outlaw that conspiracy. I say to some of my good friends that one of the real problems we have is to cleanse our minds of the legal doctrine which applies to normal political parties. If we get clearly in mind that in this case we are not dealing with a normal political party, we shall be able more clearly to see the purposes and objectives of the congressional enactment in this field. We will then also see this is no precedent or threat to any minority party operating within the democratic framework.

Mr. GORE. Mr. President, will the Senator from Minnesota yield further to me?

Mr. HUMPHREY. I yield.

Mr. GORE. Was it not the further intent and effect of the amendment in the nature of a substitute which was offered by the Senator from Minnesota to establish in law as a felony the act of participation in a conspiracy to overthrow the Government of the United States by force of violence?

Mr. HUMPHREY. That is correct.

Let me point now to another case which relates to this matter.

Mr. KEFAUVER. Mr. President, will the Senator from Minnesota yield to me?

Mr. BUTLER. Mr. President, will the Senator from Minnesota yield to me for a moment?

Mr. HUMPHREY. I ask Senators to wait, please. I wish to have continuity of presentation in connection with my reply to the interrogation of the junior Senator from Tennessee.

Let me now refer to the case of *Dennis v. United States* (341 U. S. 494, 501). At this point let us keep in mind that in the case of the Communications Association against Douds, Mr. Justice Jackson, speaking for the Court, made perfectly clear the nature of the Communist Party—namely, a conspiratorial apparatus—and then said that each member was carrying out the goals and means of that party, and that it was within the constitutional power of the Government of the United States to take remedial action to protect itself in this area. What did the Court say in the case of *Dennis v. United States* (341 U. S. 494, 501)? The Court, speaking through the late Chief Justice Vinson, had this to say:

We reject any principle of governmental helplessness in the face of preparation for revolution, which principle, carried to its logical conclusion, must lead to anarchy. No one could conceive—

And these are the critical words—

that it is not within the power of Congress to prohibit acts intended to overthrow the Government by force and violence.

The one word that stands out there is “acts.” The only question is one of definition. Is the act of membership, the act of joining into a conspiratorial force or apparatus, an act of membership which carries with it the slavish responsibility and duty to follow to the last iota, to the last detail, the dictates of the hierarchy of that apparatus? Is that act of membership today an act within the terms of what we might call the legal precedents of our bill?

I say that it is, because once the conspiratorial nature of such a political organization has been established, and once the court has made it crystal clear that it is within the power of Congress to control the membership, or to take action upon the membership, of such a conspiratorial organization, then, following the case of *Dennis* against the United States, it becomes quite obvious that the act of membership is the act of conspiracy, the willingness to join a conspiracy whose avowed purpose is to overthrow the Government of the United States by force and violence.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GORE. I have noticed certain references in the press to the Senator's amendment as being something which was a momentary effort, prematurely delivered. Is it not a fact that the Senator from Minnesota was chairman of a subcommittee which conducted long hearings into this field? Was not the late distinguished Senator from Ohio, Mr. Taft, on that subcommittee? In fact,



did not the Senator from Minnesota bring forth his suggestion as the result of long and diligent study and care?

Mr. HUMPHREY. The Senator from Minnesota was a member of that subcommittee, and, in fact, was its chairman. The committee did produce administrative suggestions for the administration and it did produce legislative proposals which were introduced in the Senate, but which were never even so much as given the courtesy of a hearing before the appropriate committee of the Senate. Nevertheless, the proposals which were presented were designed to enable effective action to be taken in the field of Communist infiltration in certain trade unions.

Let me point out further that the subject of the so-called outlawing—or whatever word one desires to use—of the Communist Party is not a new subject. The distinguished Senator from Montana [Mr. MANSFIELD] placed in the RECORD last night a long study he had made concerning this legislative proposal, going back to the time he served in the House of Representatives.

There are other Members of the Senate who have introduced bills to accomplish the so-called illegalizing of the Communist movement. It is not that we are outlawing a party. The problem here is one of semantics. We are not outlawing a party at all. We are outlawing a conspiracy, and that fact must be crystal clear in our minds.

I listened to the comments of the senior Senator from Tennessee [Mr. KEFAUVER], for whom I have the highest respect and the greatest affection. I know of the Senator's dedication to the protection of civil liberties. Let me say to my friend, the senior Senator from Tennessee, we are not outlawing now the Women's League, the Democrats, the Republicans, the Non-Partisan League, the Progressive, the Socialists, the Farmer-Laborites, or any other party we can think of. Those are parties which follow the traditions of the established pattern of legal conduct in America. They are parties which are voluntary associations; they are parties which arrive at decisions through their membership; they are parties which arrive at decisions through their conventions; they are parties which elect their own officers and whose officers make their own decisions. There is no foreign control involved in those parties. There is no hierarchical setup which determines what will be the discipline of the members of those parties. They operate within the legal democratic framework.

I say it is almost academic to argue about the nature of the Communist Party. The Communist Party has been branded—and properly so—and termed—and properly so—in court and in administrative decisions of the Subversive Activities Control Board, under the Internal Security Act, as a conspiracy with the avowed purpose of overthrowing the Government of the United States through the use of subversion, force, and violence.

Section 2 of the bill, as it was passed by the Senate, was identical with section 2 of the bill as it came from the House, and attempted to establish by

statutory law the fact—the acknowledged, the known, the visible, the ascertainable fact—that the Communist Party is not a political party, but in fact is a conspiratorial force which has as its avowed purpose the destruction of free government.

Once we have established that fact, the next question is, how best to deal with this menace? That is a logical question to be asked. The Senate bill provides that the best way to deal with this menace is to go to the point of membership. I worry about the House amendments to our bill pertaining to section 3. The House amendments in section 3 revise and tend to change the purposes and objectives of section 3 of the Senate bill.

What did the Senate bill provide? The Senate bill in section 3, with some slight modification, as the junior Senator from Minnesota offered his amendment to it, provided that—

Whoever knowingly, willfully, and intentionally becomes or remains a member of the Communist Party or any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, designed to carry into effect the purposes of such Communist Party organization, shall upon conviction be punished as provided by the penalty provisions of section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

What did that provide? It uses the words "knowingly and willfully" becomes a member. So these are matters for the court to determine, because all of these would be jury trials or court cases. The court is to determine if one is a member knowingly and willfully. But if knowingly and willfully, and understanding the purposes of the conspiracy, he becomes a member of said conspiracy, he has committed a crime, and the penalty for that crime is the penalty as outlined in the Internal Security Act, section 15, which means not more than 5 years imprisonment and/or a fine of not more than \$10,000. That does not mean the maximum, necessarily.

The PRESIDING OFFICER. The Senator's 15 minutes have expired. Does the Senator desire an extra 5 minutes?

Mr. HUMPHREY. I yield myself the extra 5 minutes.

Mr. GORE. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. GORE. Is not the proposal to which the Senator has just referred in context with the decision of the court in the Dennis case?

Mr. HUMPHREY. In my opinion it is. That is why I quoted the decision of the court in the Dennis case. There is no need to labor the subject further. I believe that the bill as passed by the Senate was a sound bill. I believe the penalties in the bill as passed by the Senate were appropriate and constitutional. The only question is, Does it interfere with other acts on the books, namely, the Smith Act and the Internal Security Act?

Let us look at the Smith Act. The Smith Act does not even refer to the

Communist Party. The Smith Act refers to certain types of action and certain acts which would lead to the overthrow of our Government, or would jeopardize the security of our Government.

The fear that the bill which was passed by the Senate would in any way jeopardize the security of the Nation by affecting either the Smith Act or the Internal Security Act is an unjustified fear. They are separate and distinct measures.

Let us consider, for example, the Smith Act. Under the Smith Act it is unlawful for any person to advocate or teach the overthrow of our Government by force or violence, or to organize or help organize or become a member of any organization which teaches the overthrow of our Government by force or violence. The Smith Act does not even mention the Communist Party.

The Smith Act is aimed at the generic crime of teaching and advocating the overthrow of our Government by force or violence. There may be other acts threatening our security which cannot be reached by the Smith Act. By the same token, there are many acts which cannot be reached even by the bill we have before us.

Let us move now to the Internal Security Act. Section 4 (f) reads, in part, as follows:

Neither the holding of office nor membership in any Communist organization by any person shall constitute, per se, a violation of subsection 2 or subsection (c) of this section or any other criminal statute.

A kind of immunity is here attempted to be granted. We passed such an immunity bill in the Senate a short time ago. It provides that anyone who testifies against himself need not be held liable for his testimony.

The PRESIDING OFFICER. The additional 5 minutes of the Senator from Minnesota have expired.

Mr. HUMPHREY. I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The time is controlled.

Mr. SMATHERS. Mr. President, how much time does the minority have remaining?

The PRESIDING OFFICER. Thirty minutes.

Mr. SMATHERS. I yield 5 minutes to the Senator from Minnesota.

Mr. HUMPHREY. A short time ago we provided immunity to certain witnesses under certain conditions, so that they may not incriminate themselves. That was done so that the Government may obtain certain information, with the understanding that a person so testifying will not be prosecuted on the basis of his testimony.

The McCarran Internal Security Act contains a similar provision in effect and applies to any criminal statute, as it relates to the Communists or members of an organization whose purpose is the overthrow of our Government.

However, let us assume that there is a conflict between the provisions of the bill as passed by the Senate and the Internal Security Act. How does the Internal Security Act operate insofar as members of the Communist Party are concerned? It requires them to register.

If they do not register, they are subject to the same penalties that are proposed in Senate bill 3706. The same penalty clause is contained in both. However, the Communist Party officers have not registered. For 4 years now they have refused to register. What kind of remedy is available to the Government?

What would the proposal of the Senator from Minnesota and his many associates do? It would declare that membership in this conspiracy by itself is a violation of the law. Obviously the men and women belonging to the Communist apparatus would not give themselves up. The Justice Department would have to seek them out, just as it seeks them out under the McCarran Act. It would have to find them and prosecute them in a court of law.

What is the advantage of the bill as passed by the Senate? The advantage of that bill is that under it it is not necessary to prove that the Communist Party is a conspiracy, and it is not necessary to prove anything more than membership in the Communist Party. We know that the membership is conspiratorial.

I say the bill would not weaken the internal-security laws of our country, as has been alleged in the hurly-burly of debate and in the effort to find something wrong with the bill as passed by the Senate. All kinds of contradictory statements have been made. It is claimed one minute that it is too severe, and in the next that it does not do anything, and there have been all kinds of roarings through the respective chambers in an effort to prove that what we did was wrong.

The administration does not oppose branding the Communist Party a conspiracy. The administration apparently accedes to the denial to the Communist Party of any so-called privileges and immunities, whatever they may be.

Does Congress believe that it will have any control over what party goes on the ballot? That is in the hands of the respective States. Section 3 of the House bill contains a very mild penalty for being a part of a conspiracy to overthrow the Government of the United States. I say it will prove to be rather ineffective. All that it means is that Congress goes on record as declaring the Communist Party a conspiracy.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SMATHERS. First, I wish to congratulate the Senator on what he is saying. I was very happy to support his amendment the other day. I should now like to ask him to explain to me, if he can, the logic of saying, as I understand the House bill does, that the Communist Party is unlawful and illegal, but that the men who get together to organize the party and direct the party, and have control of the party, are not guilty, although what they do and what they organize is illegal. Does that seem to the Senator to be a logical position to take?

Mr. HUMPHREY. Surely it is not.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. SMATHERS. I yield another 5 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, what I am trying to point out to my colleagues is that the action of the House of Representatives went only so far as to make it clear and unmistakable that the Communist Party, insofar as the apparatus is concerned, has no legal standing in any area of American life. That is an inadequate provision, in terms of the nature of its activities, for a crime such as is charged.

Mr. SMATHERS. Mr. President, will the Senator from Minnesota yield for a question?

Mr. HUMPHREY. I yield.

Mr. SMATHERS. Is it not plain to the Senator that we might have a law, as recommended by the House, in which it is provided that it is illegal and improper for Communists jointly to do something, we will say, to start a program, and yet, if they as individuals believe in the overthrow of the United States, and do not act in concert on a particular issue, they would not, as individuals, be called to account?

Mr. HUMPHREY. That is correct. One of the purposes of the proposal of the Senators who advanced the amendment on Thursday last was to get at the core of the problem. There is bill after bill coming before the Senate dealing with the fringes of Communist-dominated unions, Communist-dominated women's clubs, Communist-action groups. The only reason we pass any legislation against any of these groups is because of the factor of communism. The purpose I have in mind is to get at that factor of communism and place the control of it in the proper legal officials. If we could pass the bill as it was presented in the Senate, much of the so-called committee action which takes place would be unnecessary.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. Is there anything in the House version of the bill now that makes it possible for the United States Department of Justice to proceed to prosecute an individual for belonging to the Communist conspiracy, as a member of the Communist Party?

Mr. HUMPHREY. There is not one word that permits that kind of procedure.

Mr. MORSE. Does the Senator from Minnesota agree that when he first presented this matter to a very small group of us—in fact, a group of three, at first, including the Senator from Massachusetts [Mr. KENNEDY], myself, and the Senator from Minnesota—we agreed that the time had come for us to get at the core of the problem, as the Senator has used the phrase, by passing a law which would make it a criminal offense to belong to the Communist conspiracy, which meant that we should have a law which would place upon the Department of Justice the duty of proceeding by way of prosecution against an individual Communist?

Mr. HUMPHREY. The Senator is absolutely correct. That was the purpose in mind.

Mr. President, the argument which has been used against the proposal passed by the Senate by a vote of 85 to 0—I want that record vote to stand—is that it would drive the Communist Party underground. The Communist Party is so far underground that in comparison coal mines look as if they are in the sky. The Communist Party has gone down to the bottom of the cavern, to the third layer of geological formation. What the bill would do is to give to the courts, to United States attorneys, and to law-enforcement officials, a clear mandate from Congress that if membership in the party can be proved, it can be proved that the members are part of a conspiracy and are subject to criminal penalty.

Mr. MORSE. Has the Senator heard a great deal of discussion in America in recent months about digging out human skunks?

Mr. HUMPHREY. Yes.

Mr. MORSE. Is it not true that we offer in the Senate version of the bill a measure which makes it a criminal offense for a person to belong to the Communist conspiracy in this country, and that the House has watered it down by throwing the whole thing into the administrative process of the Subversive Activities Control Board, but the House bill does not make it a criminal act in the United States to belong to the Communist conspiracy, or place an obligation on the Department of Justice to proceed to prosecute as a criminal that kind of a conspirator? Is not that correct?

Mr. HUMPHREY. The Senator has put his finger upon the weakness in the House amendments as they have come to the Senate.

The PRESIDING OFFICER. The time of the Senator from Minnesota has again expired.

Mr. HUMPHREY. Mr. President, will the minority leader yield us additional time to complete this colloquy?

Mr. SMATHERS. How much time?

Mr. HUMPHREY. I hope to get through in 5 minutes.

Mr. SMATHERS. I yield 5 minutes to the Senator from Minnesota.

Mr. MANSFIELD. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. I have been in rather good spirits with reference to the tone of newspaper editorials in regard to outlawing the Communist Party. I think the Senator from Oregon and other Senators have pointed out that what we are carrying out is some sort of warfare against the fringes, whereas the only way to meet this menace—and it is a menace—is to meet it head on and to outlaw the Communist Party and attach penalties for membership.

The Senator from Minnesota and his cosponsors gave some of us who over the past 4 or 5 years have been introducing bills to outlaw the Communist Party the first opportunity we have had in any Congress to stand up and be counted and to discuss the outlawing of the Communist Party as a subversive organization under the control of international communism. I, for one, am grateful to the Senator from Minnesota



for showing enough statesmanship to introduce this particular proposal and have it considered at this time, because for 5 years I have been waiting for this opportunity. I repeat, that this is the first chance I have had in either the House of Representatives or the Senate, in all that time, to face up to the issue squarely.

Mr. HUMPHREY. I thank the Senator from Montana.

I merely wish to say, Mr. President, with reference to the action taken by the Senate, by a vote of 85 to 0—most of the Members of the Senate being lawyers and competent in the field of legislation—that any comment to the effect that the Senate bill harms the Internal Security Act is a comment not based upon fact, and one which is made only for the purpose of trying to distract us from what we are trying to do, or to divert us from the objectives of the particular bill now pending. I repeat that the Communist Party will be driven no farther underground than it is. With the bill we have passed, instead of trying to get them out from underground with a hand shovel, we will have a pneumatic drill and will be able to get them out.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield further?

Mr. HUMPHREY. I yield.

Mr. MORSE. Is it not true that espionage, sabotage, and other conspiracies have always been carried on underground?

Mr. HUMPHREY. Of course. The only activities above ground are soap-box activities.

Mr. MORSE. Propaganda activities.

Mr. HUMPHREY. That is correct.

Testimony which has been given to committees of the Congress points out the dual nature of the Communist Party. On one level we find the propagandists who get their names into the newspapers. They are not the dangerous ones. The men and women in the Communist apparatus who are a threat to the security of this country are not the ones who talk or send out pamphlets, but those who are found in agencies of the Government and are willing to wait for 20 years to get one bit of information, and men and women who chart every factory, every pipeline, every transportation system, to turn over to the enemy. They are saboteurs who would wait for the hour of attack.

It is very strange that in the Senate of the United States, with all the speeches we have heard on communism, and all the addresses which my colleagues have made to American Legion posts, Veterans of Foreign Wars, and on radio and television shows, when the chance is given to do something completely, we start backing away from it.

Mr. MANSFIELD. Mr. President, will the Senator from Minnesota yield further?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. Is it not a fact that the Veterans of Foreign Wars and the American Legion have gone on record as favoring outlawing the Communist Party?

Mr. HUMPHREY. That is correct. I spoke recently at the Statler Hotel about

the matter. I said the great mistake of the liberal movement of America is that some liberals, conscientious as they may be, have been unwilling to come to grips head-on with the menace of communism. This should be the essence of a liberal's platform—as it is mine.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. SMATHERS. Mr. President, how much more time have we?

The PRESIDING OFFICER. Fifteen minutes.

Mr. SMATHERS. I yield the Senator an additional 3 minutes.

Mr. HUMPHREY. Only for the purpose of the question of the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Speaking about driving Communists underground, is it not true that every criminal element in this country works underground? Whether we are dealing with gamblers, burglars, kidnapers, or any other criminal element, they always work underground.

Mr. HUMPHREY. The Senator is, of course, correct.

Mr. MORSE. Has the Senator ever heard the Department of Justice or J. Edgar Hoover deplore the fact that we have a criminal code which places upon the Department of Justice the duty to prosecute the underground element in this country? The Senator has never heard them object to that, has he?

Mr. HUMPHREY. No.

Mr. MORSE. Is it not remarkable that now Brownell, Hoover and, apparently, the White House itself, are deplored the fact that the Senate has come to grips frankly and openly with this criminal conspiracy and has said, "We ought to have a law which makes it a crime to be a member of that conspiracy, and the Department of Justice and the FBI should get busy and proceed to prosecute that criminal element as they prosecute the other criminal elements in this country?" Is that not the issue we are drawing on the floor of the Senate today?

Mr. HUMPHREY. That is correct.

Mr. MORSE. Let the public understand who is trying to save the Communists in this country from prosecution, individual by individual, for the conspiracy to which they belong. It now appears that the White House thinks the Senator from Minnesota [Mr. HUMPHREY] is a little too harsh on the Communists.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Tennessee.

Mr. KEFAUVER. As I understand the Senator's statement, in the final analysis all the House bill does is take away the privileges, rights, and immunities from the so-called Communist Party. In the first place, they do not particularly have any or try to exercise any. So it amounts only to making a speech against the Communist Party. Is that not substantially what the House bill does?

Mr. HUMPHREY. I think it goes further than that, but it does not do very much more than that.

Mr. KEFAUVER. Does the Senator have in mind, so we may know where we

are, offering an amendment to that provision?

Mr. HUMPHREY. Yes. I have in mind offering an amendment to restore the Senate language, with further detail as to the nature of membership in the Communist Party.

I ask my colleagues to come to grips with this problem and try to do what we set out to do last Thursday.

Mr. BUTLER. Is the Senator's amendment at the desk?

Mr. HUMPHREY. It will be very shortly.

Mr. BUTLER. May I have a copy?

Mr. HUMPHREY. The amendment is in the bill as passed by the Senate.

The PRESIDING OFFICER. The Senator's additional 3 minutes have expired.

The question is on agreeing en bloc to the amendments offered by the Senator from Maryland [Mr. BUTLER] to the House amendments.

Mr. BUTLER. Mr. President, I yield to the Senator from Michigan such time as he may desire.

Mr. FERGUSON. Mr. President, there has been considerable debate on the pending bill as it has come back from the House. I think the difficulty is that we are not mindful of certain words which are being used and what their legal significance is.

There is considerable argument about the word "outlaw." I am afraid there is a misunderstanding of what the word "outlaw" really means.

I wish to read from Callaghan's Cyclopedic Law Dictionary, third edition:

Outlaw. In English law. One who is put out of the protection or aid of the law.

That is what the House of Representatives was trying by its amendment. What the Senate did on last Thursday was not to outlaw the Communist Party at all. It is true that the headlines in the newspapers used the expression that we were outlawing the Communist Party. We were doing no such thing. We were making a certain act a crime. We were passing a criminal statute which provided that if any man belonged to the Communist Party and—in the terms of the Cooper amendment, committed an overt act or an act—it makes no difference whether it reads "overt act" or an "act"—he would be guilty of a crime.

That is what we were doing. We were not outlawing the party.

The House quite properly reasoned that we have other statutes. What we were trying to do yesterday and are trying to do today, as in some other bills we have passed at this session, was to create under our law a situation which would enable us to cope with the Communist Party. That is all we were really trying to do.

From the arguments made this morning, I am fearful that some forget what we have already done. There has been talk about the Communist Party being a conspiracy. There is no doubt in my mind that the Communist Party is a conspiracy, but the United States has never adopted the common law definition of a conspiracy. A conspiracy under the common law was a combination of two or more persons to do an unlawful

act or to do a lawful act unlawfully. That last term would require much explanation, but I shall not explain it here, because I do not think it is material to this debate.

The Internal Security Act, in section 4, prohibited certain things. When a criminal statute is enacted, the doing of some act is prohibited as a crime under the pains and penalties of punishment. That is what we did last Thursday when we passed this bill.

When the bill was brought to the floor, it did not have even a semblance of a definition of membership in the party or what one belonging to it would be. We tried to remedy that situation.

Let me go back to what we did under the internal-security law in 1950. This made a certain thing a crime:

SEC. 4. (a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual: *Provided, however—*

I well remember the debates on this subject. We put this in at the end:

*Provided, however,* That this subsection shall not apply to the proposal of a constitutional amendment.

In other words, one could propose a constitutional amendment to establish a dictatorial power in America, even though it might be connected with a foreign power.

Then we continued in subsection (b) of this act:

(b) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government or an officer or member of any Communist organization as defined in paragraph (5) of section 3 of this title, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, knowing or having reason to know that such information has been so classified, unless such officer or employee shall have been specifically authorized by the President, or by the head of the department, agency, or corporation by which this officer or employee is employed, to make such disclosure of such information.

I wish to return to the word "outlaw," the meaning of which is, "One who is put out of the protection or aid of the law."

Mr. President, that remedy is used, in a sense, when a corporation which is required by law to file its annual report fails to file it. When a certain number of days or months go by after its failure to file the report, the corporation may no longer sue. In effect, it is outlawed. It has no right to use the courts, because it has failed to comply with the law. So

in this instance the House of Representatives has passed a bill which would take away all legal rights of the Communist organization.

This morning it was said in the Senate that the Communist Party does not want to use the courts. In my own State the Communist Party does use the courts. The party did it when it was prohibited from putting its name on a ballot as the Communist Party. The Communist Party intervened in the case, and carried it to the Supreme Court; and I understand the case is pending at the present time in the Supreme Court. I think the House of Representatives is right in wanting to do what it has tried to do, which is to take away all the legal rights of this conspiracy which is called the Communist Party, which is called by the Communists a political party, but which is not a political party, because its aim is to destroy, not to foster, the Government of the United States under the present Constitution. Its aim is to destroy the constitutional governments, not only of the Federal Government, but of all the States.

So it should be realized that while the headlines have stated that the Communist Party was outlawed by the bill, no such thing was done. It was merely made a crime to belong to the Communist Party, and to carry out any act in furtherance of the desires or the real aims of the Communist Party.

Mr. President, we are doing the only thing that should be done. This is a real outlawing, because we shall be taking away from the party all its rights, privileges, and immunities. That is a real outlawing of the party within the meaning of the ancient British law. The bill will not conflict with the Internal Security Act. We shall not be indirectly repealing that act. We shall have a law which will provide that a conspiracy to contribute to the establishment in the United States of a totalitarian dictatorship is a crime. That is already covered by a criminal statute.

The Smith Act covers the teaching or advocating of the overthrow of the United States Government, and about 64 persons have been convicted under that act.

The bill does not change the Smith Act. An overt act is not required. The bill which we passed last week did repeal the Smith Act in an indirect way. It is desired that the existing laws remain in effect. The purpose is to enact a law with relation to infiltration.

It is rather amusing, but everyone has forgotten the bill which was originally reported by the Committee on the Judiciary, which had to do with the penetration of labor organizations and other organizations by the Communists. As was said by the CIO, Communists had taken over and were destroying the labor union movement in America. We have all forgotten about that, and now we are talking about whether it ought to be a crime merely to belong to a conspiracy.

In my State, which is a common-law State and one which adopted the old rule of conspiracy, it is a crime to be in a conspiracy, even though one does not commit an overt act, if he knowingly

joins the conspiracy. As a rule, in other States it is required that some overt act or knowledge of an overt act be proven on the part of one or more in the act of carrying out the conspiracy.

What the bill really does is put the Communist Party, which is a conspiracy, outside the pale of the law, where it should be. The party would not be able to make any leases or hire people under contract. It would not be able to enter into any contractual relations, because the party would have no legal rights within the United States.

Mr. President, I think that is what we really should do, and then we should pass the other sections of the bill and really try to cope with the situation, under our Constitution.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments of the Senator from Maryland [Mr. BUTLER] to the amendments of the House to Senate bill 3706.

Mr. BUTLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. BUTLER. Mr. President, I shall suggest the absence of a quorum, unless the Senator from Missouri [Mr. HENNING] desires to address a question to me.

Mr. HENNING. I should like to make a few remarks on my own time.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

Mr. BUTLER. I shall be happy to yield time to the Senator from Missouri, if he does not have enough time available to him.

Mr. HENNING. I thank the Senator from Maryland.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to the distinguished senior Senator from Missouri [Mr. HENNING].

The PRESIDING OFFICER. The Senator from Missouri is recognized for 10 minutes.

Mr. HENNING. Mr. President, I believe the Senate today stands upon the threshold of determining whether we are to make a frontal and direct assault upon the Communist conspiracy, or whether we are to be content, by means of various fringe efforts and forays and by other legislative enactments to continue only to submit alleged violations of law to various boards and commissions.

I must confess that when we were first presented with the question of outlawing the Communist Party and bringing the force of law to bear upon the individuals related to the general conspiratorial characteristics of that party, as defined



by the Humphrey amendment, I believed that appropriate committees of the Senate had not given the subject sufficient consideration. This I still believe, and I believe it is unfortunate we should have.

Since this question was first presented to the Senate, I, together with other Members of this body, have given it further thought and further study. I have come to the conclusion that this direct, frontal assault, not upon the organization of the party, but upon individual membership in it—joining the party and membership in the party as constituting an overt act—is sufficient under any Anglo-Saxon concept of justice under law relating to conspiracy to constitute a predicate for the conviction of anyone who knowingly and wilfully associates himself with any organization, and who, in so doing, takes an active part in any degree whatsoever in the furtherance of the conspiracy which we know today to be a clear and present danger to the safety and security of the United States.

Everyone—Communist or non-Communist, Fascist or non-Fascist—is entitled to his day in court. With all respect to the Subversive Activities Control Board, whose functions are to determine which of certain organizations do in fact constitute a part of the Communist movement and, in turn, the Communist conspiracy in this country, this Board and other similar boards have been attacking this problem obliquely and not directly.

It seems to me that, as in the case of murder, armed robbery, or any other offense against the safety and security of the citizens of this country, membership in this unlawful conspiracy should be denounced and denominated a crime, with punishment as provided by law.

With all respect to the distinguished Senator from Michigan, I cannot subscribe to his notion that, as he says, placing anyone outside the protection of the laws is sufficient. I believe that everyone is entitled to the protection of the laws, whether he be a Communist or a non-Communist, or whether he be a citizen who is not tainted in any respect by activity in the Communist conspiracy.

Mr. GORE. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. I am very glad to yield to the able junior Senator from Tennessee.

Mr. GORE. Is it in fact within the power of the Congress to deny to any citizen the protection of law?

Mr. HENNINGS. Let me say to my friend from Tennessee that not only is it not within the power of Congress under our Constitution to deny any citizen the benefit of equal protection of the laws, but we have no right to deny any alien, any noncitizen within our borders under our jurisdiction, this same equal protection of law.

We know that the Communist conspiracy is but the sum total of the individuals who comprise it, and that the movements and activities of this conspiracy endanger the safety of this country. This force and threat to our freedom are the result of the concerted acts of its members.

There is no question about it; if we want to stop all the excessive examinations of individuals by committees—there have been great excesses, in my judgment, and great infringements upon the basic rights of citizens of this country by some of the committees of the Congress, even though we have an agency such as the Department of Justice with its Federal Bureau of Investigation, which is charged with the enforcement of laws against subversion and discovery of subversives, including the Communist conspiracy—we must meet the question head-on and call the conspiracy by its right name? Why not call this conspiracy a crime, as it is and designate those who by their overt acts become part and parcel of it, active and participating members in this conspiracy, criminals under the law? Give them their day in court, in accordance with the best traditions of Anglo-Saxon jurisprudence and justice. Give them an opportunity for a jury trial. Let us really settle this issue and say that there are agencies of the Government whose duty and function it is to take cognizance of these things, which have the authority to prosecute these offenses, and which have men possessing the training, equipment, and understanding to enable them to do so. Let them be held responsible for the enforcement of this act.

It seems to me, Mr. President, that this subject rises far above any partisan consideration. The war against the Communist conspiracy at home and abroad is neither a Republican nor a Democratic war. The business of impugning the motives, purposes, and intent of individuals and political parties has gone far enough. Indeed, too far for too long.

The bill offered by the majority and the House amendments subscribed to by the majority in both the House and the Senate happen to be supported by the majority party, by and large. I will not stultify myself nor undertake to make a false issue of the loyalty of the members of the Republican Party, now the majority party in both the House and the Senate, which brought this bill before us, and which supports it. I would not for a minute say that the majority party, because it supports a weaker measure than the Humphrey amendment, is soft on communism.

But I say that the Humphrey amendment and the Senate bill proclaim that at long last the Senate is coming to grips with this problem directly, and not by a multiplicity of measures, politically inspired, some of which transgress the basic rights of good and loyal citizens.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to the Senator from Tennessee.

Mr. KEFAUVER. The Senator is a very distinguished lawyer, for whom I have great respect.

Can the Senator from Missouri tell me how the House bill really does anything to thwart the Communist conspiracy? I ask that question because, when we finally get down to the end, apparently all that is claimed for the bill is that it

takes away the rights, privileges, and immunities of an organization. Whether that organization is to be on the ballot or not is a question which depends upon State law. They are not trying to sue anybody. I wonder what the Senator from Missouri thinks the House bill really does.

Mr. HENNINGS. Mr. President, I shall be glad to try to answer that question.

I know the distinguished Senator from Tennessee has given this question a great deal of thought. I think the House bill, as has been suggested heretofore, is only a gesture. I think it came to us as an expedient, and that it was politically motivated.

I was unable last night to elicit a definite answer from the distinguished Senator from Maryland [Mr. BUTLER] as to whether or not the administration, or the Attorney General of the United States, approves the House version of this bill.

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. HENNINGS. The best answer we can get is that they do not oppose it.

Mr. BUTLER. Mr. President, how much time does the Senator desire?

Mr. HENNINGS. Will the Senator yield an additional 2 or 3 minutes to me?

Mr. BUTLER. I yield an additional 5 minutes to the Senator from Missouri.

Mr. HENNINGS. I thank the distinguished Senator for his generosity, and I in turn shall undertake to yield to him, if he so desires, or to any other Senator who may wish to expand this discussion.

Mr. President, it seems to me that the House version, singularly enough, though not having the blessing of the Attorney General of the United States and the administration, at least does not have its opposition.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to the Senator from Maryland.

Mr. BUTLER. The amendment has the absolute approval of the Attorney General.

Mr. HENNINGS. What disturbs me in that connection is this: Many of us have for a long time been trying to evolve some sort of formula whereby a court of law will determine these questions—not boards, with all respect to the individuals comprising them—and not administrative agencies, but courts. Of course, it is conceivable that we lawyers sometimes place too much faith in the courts; but I do not think so. My faith in the jury system continues to increase, not to diminish. Until someone devises a better one, I believe our jury system and our Anglo-Saxon administration of justice, under law, stand as a shield and a bulwark against tyranny and oppression and insure the safety and security of every man and woman in our domain—as much as any manmade tribunal can do so.

We have heard for a long time that Mr. J. Edgar Hoover, in whom we all have such faith and confidence, has suggested that the Communist Party might be driven underground by this

action and that the Communist Party perhaps should not be declared illegal nor prohibited from a place on the ballot. Many of us, having faith in the high degree of expertness and professional competence, and of course, in the high-minded dedication and patriotism of Mr. Hoover—have, for many years, in deference to his judgment, forbore taking any action or even presenting to the Senate any legislation which might outlaw the Communist Party—or drive it underground.

In addition, many lawyers have had misgivings as to the possible infringement upon the first amendment to the Constitution—the right to free speech, free press, and other liberties which are granted every citizen under the Constitution. We have now come to the issue of attempting to take some affirmative and definitive action about the Communist Party. Now that we have undertaken to denounce the Communist Party as a party as an illegal apparatus or instrumentality, it would seem only logical to me, since the administration does not disapprove the House bill—and I assume that the Attorney General has conferred with Mr. J. Edgar Hoover—that if we go one step further and reach for the individual that would not be likely to do anything more toward driving the Communist Party underground.

As we all well know, the "soap box" activities of the Communist Party are, by and large, participated in by people who are not carrying on the real work of sabotage and espionage, the damaging and destructive work of this conspiracy within the confines of the United States. These people are only the front, the propaganda part of the conspiracy.

I would suggest that we should adopt section 3, known as the Humphrey amendment, so that certain criteria may be established for the guidance of a court and jury. We should, today, go on record in the Senate and stand by the original Senate bill. Communism has all too long been a political football. We should, by our affirmative action here, through the regularly ordained processes of justice and the administration of our law, give not only those chargeable as members of this conspiracy their day in court, but give all of the people of the United States theirs, in a court of law.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HENNINGS. I am very glad to yield. However, before yielding, I should like to compliment the Senator from Minnesota on his great contribution to our efforts in this field of activity.

The PRESIDING OFFICER. The additional time of the Senator from Missouri has expired.

Mr. HENNINGS. I believe we are embarking on a straightforward case, which I am sure will lead to action which we shall not regret in the future. I thank the Senator from Maryland for yielding me additional time.

Mr. BUTLER. Mr. President, all of us know the leading part which the distinguished Senator from Nevada [Mr.

McCARRAN] has played in this field. Without his valued aid and assistance, most certainly the Senator from Maryland would be quite inadequate at this very moment. I ask unanimous consent, if unanimous consent is necessary, to associate the Senator from Nevada with the amendments of the Senator from Maryland now lying on the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing en bloc to the amendment offered by the Senator from Maryland [Mr. BUTLER] to the House amendments to Senate bill 3706.

Mr. BUTLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote the Senator from Idaho [Mr. WELKER] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting the Senator from Idaho [Mr. WELKER] would vote "yea" and the Senator from Illinois [Mr. DOUGLAS] would vote "nay."

If present and voting, the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the Senator from New Hampshire [Mr. UPTON] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Louisiana [Mr. LONG], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

I announce further that the Senator from Texas [Mr. DANIEL] is paired on this vote with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Louisiana would vote "nay."

The Senator from Illinois [Mr. DOUGLAS] is paired on this vote with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Illinois would vote "nay" and the Senator from Idaho would vote "yea."

I also announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from North Carolina [Mr. ERVIN] would each vote "yea."

The result was announced—yeas 62, nays 19, as follows:

## YEAS—62

Alken	Frear	McCarran
Barrett	George	McCarthy
Beall	Gillette	McClellan
Bennett	Goldwater	Millikin
Bowring	Green	Mundt
Bricker	Hayden	Pastore
Bridges	Hendrickson	Payne
Burke	Hickenlooper	Potter
Bush	Holland	Purtell
Butler	Ives	Reynolds
Carlson	Johnson, Colo.	Robertson
Case	Johnson, Tex.	Russell
Clements	Johnston, S. C.	Saltonstall
Cooper	Kefauver	Schoeppel
Cordon	Kerr	Smith, Maine
Crippa	Knowland	Smith, N. J.
Dirksen	Kuchel	Thye
Duff	Lennon	Watkins
Dworshak	Malone	Williams
Ellender	Mansfield	Young
Ferguson	Martin	

## NAYS—19

Anderson	Kennedy	Murray
Fulbright	Kilgore	Neely
Gore	Langer	Smathers
Hennings	Lehman	Stennis
Hill	Magnuson	Symington
Humphrey	Monroney	
Jackson	Morse	

## NOT VOTING—15

Byrd	Eastland	Maybank
Capehart	Ervin	Sparkman
Chavez	Flanders	Upton
Daniel	Jenner	Welker
Douglas	Long	Wiley

So Mr. BUTLER's amendments to the amendments of the House to Senate bill 3706 were agreed to.

Mr. BUTLER. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. KNOWLAND. Mr. President, I move to lay the motion of the Senator from Maryland on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Maryland.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The House amendments are open to further amendment.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment and ask that it be read by the clerk.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Minnesota.

The LEGISLATIVE CLERK. On page 3, after section 3, in the House amendments, it is proposed to insert new sections, as follows:

SEC. 4. Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any



such organization, whether or not any change is hereafter made in the name thereof.

SEC. 5. In determining membership or participation in the Communist Party or any other organization defined in this act, the jury, under instructions from the court, shall consider evidence, if presented, as to whether the accused person:

- (1) Has been listed to his knowledge as a member in any book or any of the lists, records, correspondence, or any other document of the organization;
- (2) Has made financial contribution to the organization in dues, assessments, loans, or in any other form;
- (3) Has made himself subject to the discipline of the organization in any form whatsoever;
- (4) Has executed orders, plans, or directives of any kind of the organization;
- (5) Has acted as an agent, courier, messenger, correspondent, organizer, or in any other capacity in behalf of the organization;
- (6) Has conferred with officers or other members of the organization in behalf of any plan or enterprise of the organization;
- (7) Has been accepted to his knowledge as an officer or member of the organization or as one to be called upon for services by other officers or members of the organization;
- (8) Has written, spoken, or in any other way communicated by signal, semaphore, sign, or in any other form of communication orders, directives, or plans of the organization;
- (9) Has prepared documents, pamphlets, leaflets, books, or any other type of publication in behalf of the objectives and purposes of the organization;
- (10) Has mailed, shipped, circulated, distributed, delivered, or in any other way sent or delivered to others material or propaganda of any kind in behalf of the organization;
- (11) Has advised, counseled, or in any other way imparted information, suggestions, recommendations to officers or members of the organization or to anyone else in behalf of the objectives of the organization;
- (12) Has indicated by word, action, conduct, writing, or in any other way a willingness to carry out in any manner and to any degree the plans, designs, objectives, or purposes of the organization;
- (13) Has in any other way participated in the activities, planning, actions, objectives, or purposes of the organization.
- (14) The enumeration of the above subjects of evidence on membership or participation in the Communist Party or any other organization as above defined, shall not limit the inquiry into and consideration of any other subject of evidence on membership and participation as herein stated.

It is proposed to amend the title so as to read: "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY] to the House amendments. The time is under control. The junior Senator from Minnesota has 15 minutes, and the Senator from Maryland has 15 minutes.

Will the Senator from Minnesota advise the Chair how much time he yields to himself?

Mr. HUMPHREY. I yield myself 5 minutes.

Mr. President, in order to simplify the explanation, the amendment is designed

to accomplish the following: It leaves intact the House bill as amended by the House. It leaves section 3, as the House substituted it for section 3 of the Senate bill, still in the bill. Section 3 of the House amendments refers to the privileges and immunities of the Communist Party being denied, because the Communist Party is a conspiracy, as declared by the bill.

I desire my colleagues to know that what the House bill does is only to refer to the Communist Party as such, taking away from the instrument known as the party its privileges and immunities, without in any way getting at the membership of the party. The difference between the House bill and the Senate bill is the matter of getting at the underpinning of the party. In other words, membership in a political party or membership in a conspiracy is like the piling holding the edifice or structure. The House bill does not touch membership. The Senate bill, which was passed by a vote of 85 to 0, contained section 3, which, under my amendment, would become section 4, and would read:

Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, (2) or any other organization having for one of its purposes the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by use of force or violence, with knowledge of the purpose or objective or such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950.

That provision, which goes to the core of the problem, was eliminated by the House. What the House substituted was mild language. In other words, all the House did was to say that communism is a conspiracy, a man-eating bear. But when it got ready to deal with it, it went forth with a powderpuff and touched the bear on the nose.

What the Senate did was to say that communism is a man-eating bear; and it provided a bear gun to get the bear. It is the difference between a powderpuff approach and the approach with the use of a legal weapon which will do the job of punishment for affiliating with or being a part of and participating in a conspiracy.

When we shall have adopted section 2 of the House amendment, which will be before the Senate shortly for concurrence, we shall have said in section 2, as we said in the Senate bill in section 2, that the Communist party is not a party but a conspiracy. It is dedicated to the overthrow of the Government of the United States by subversion, force, and violence. If we make that statement, and if it is a declaration of a finding of fact as to the nature of the Communist Party, its purpose, and its objective, I ask, in all good conscience, if we as Members of the Senate say to the American people and to the world that the Communist movement is a conspiratorial apparatus with its prime objective that of the destruction of the free institutions of government by subversion, force, and violence, is the only proper remedy to deny the Communist Party the right to sue in court? The Communist Party

does not sue. I doubt whether the Congress can determine the right of the Communist Party to be on the ballot. I am of the opinion that State law determines who shall be on the ballot.

The purpose of the new section which I propose to add to the House amendment is to establish certain criteria by which the court can hear evidence so as to determine effective membership, because obviously one of the most difficult jobs of the court and of the prosecutor is to determine what constitutes membership, and to be able really to pinpoint the fact of participating membership in the Communist conspiracy.

I have listed 14 criteria. I wish to make it clear that they are not exclusive. They are criteria, however which the court shall instruct the jury to consider, in its deliberations upon the evidence, as being relevant to the ascertainment or establishment of membership.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I yield myself 1 additional minute.

I conclude by saying that by restoring to the bill the provisions which originally passed in the Senate, plus the list of criteria for the ascertainment of membership, the measure will have been strengthened; we shall have done what we set out to do; namely, not only to deny to a political instrumentality privileges and immunities, but to subject those who are members of the conspiracy to the penalties for such membership.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Oklahoma for a question.

Mr. MONRONEY. Are the penalties provided in the amendment of the Senator from Minnesota in addition to the penalties now provided for in the Smith Act and in other anti-Communist legislation?

Mr. HUMPHREY. That is correct.

Mr. MONRONEY. There is no substitution of the Senator's amendment for the provisions of any act heretofore passed?

Mr. HUMPHREY. That is correct.

Mr. MONRONEY. Only additional enforcement mechanism is added.

Mr. HUMPHREY. That is correct.

The PRESIDING OFFICER. The additional minute of the Senator from Minnesota has expired.

Mr. BUTLER. Mr. President, I desire to speak briefly, but first I ask the Senator from Nevada [Mr. McCARRAN] if he desires to have me yield time to him.

Mr. McCARRAN. Will the Senator from Maryland yield me 2 minutes?

Mr. BUTLER. I shall yield as much time as the Senator from Nevada desires; but first I should like to address the Senate for a moment.

I could not disagree more with the argument of the Senator from Minnesota. We all know that the Communist conspiracy is a dangerous conspiracy. All of us want to fight it with all our energy, skill, and ability. I say we are doing that. We are not hitting the

Communist conspiracy on the nose with a powder puff.

If the House amendments now before the Senate become law, the Communist party will have been proscribed. Under the Smith Act we have reached the members of the Communist Party who teach or advocate communism.

Under the Internal Security Act, if the Senate will refer to section 4, it will be found that the prohibited acts begin with section 4 (a), as follows:

SEC. 4. (a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual: *Provided, however,* That this subsection shall not apply to the proposal of a constitutional amendment.

(b) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government.

And so forth. I say to the Senate that under the existing law all the acts which the Senator from Minnesota [Mr. HUMPHREY] would proscribe in his amendment are already proscribed.

Why should we muddy the waters and take a chance of destroying the integrity of the Internal Security Act of 1950, which is now only beginning to bear fruit? Why should we cloud any proceeding under that act when we can do everything we desire to do by passing the House amendment, as amended, and let it go at that?

Madam President, what remaining time have I?

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). The Senator has used 3 minutes of his time.

Mr. BUTLER. I yield equal time to the Senator from Nevada [Mr. McCARRAN] and the Senator from Michigan [Mr. FERGUSON], if they so desire.

Mr. McCARRAN. I shall take only a minute.

Madam President, if this amendment is adopted, it will destroy the full efficacy of this proposed law. The Department of Justice and every agency we could bring to our command have worked to draft a bill which would be really and truly workable. This amendment, if adopted, will do no more than the law which is today and has been for a number of years on the statute books. Furthermore, it will destroy the registration feature of the present act.

Madam President, if we want an effective law—and I want such a law as much as anyone else in the world—we should vote down this amendment. If we vote this amendment into the bill, we are likely to do one of two things: either it will be stalled in the House and we shall never get a bill through, or it will become an ineffective provision in the

law. I hope the amendment will not prevail.

Mr. BUTLER. Madam President, I yield to the Senator from Michigan such time as he may desire.

Mr. FERGUSON. Madam President, I take a few minutes to speak on the bill because I was greatly interested when we passed the Internal Security Act of 1950.

We find ourselves today in the position of having before us a substitute for a bill which has real meaning and a real place in our legislation. The bill which the Judiciary Committee reported to the Senate, one of the administration bills would have made it possible for labor unions to cope with the situation of being penetrated by Communists. I read into the RECORD the other day a resolution by the CIO stating how they felt about the penetration of labor unions by Communists. We desired to give them help and assistance in ridding labor unions of the evil of being penetrated by Communists.

We have lost all sight of the real bill which was before us, and we now find ourselves in the unique position of attempting to enact a piece of legislation which would destroy and repeal the registration section of the Internal Security Act.

Madam President, the Judiciary Committee of the Senate, of which I was a member at the time, devoted months trying to perfect a bill to cope with Communists. We knew the bill would be attacked in every way. We knew it would suffer a filibuster on the floor of the United States Senate. In fact, one Senator exhausted himself in discussing the bill and had to be carried from the floor of the Senate. We had reason to believe the President of the United States would veto it, and we had reason to believe that some Members of the Senate would vote to sustain the veto.

It seems rather strange that those who voted to sustain the veto and wanted that bill vetoed, are now advocating this bill.

By this amendment we would destroy the registration feature of the present law, which I say to the Senate is a fine piece of legislation. It requires registration, it requires the members to be known, it requires them to mark their literature, it requires them to disclose where they obtain their money.

The United States Government has now spent almost 4 years in hearing the case. Those who were interested in communism delayed it in every possible way, but a decision was obtained in the lower district court which held the act to be constitutional. The case has now been in the circuit court of appeals for a period of 4 months.

Today we are asked to repeal that law. No Member of the Senate can truthfully say that the proposed amendment would outlaw the Communist Party. The House outlawed the party. As I read the definition of the word "outlaw," an "outlaw" is merely one who is put out of the protection or aid of the law.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. FERGUSON. In a moment. I have only a few minutes.

Here we are creating a new crime, the crime of knowingly and willfully becoming or remaining a member of the Communist Party or an organization which is described in the bill. The section continues and defines what a member is.

I submit to the Senate this plain question: Does the Senate desire at this time to repeal the Internal Security Law which was passed in 1950, which was vetoed by the President of the United States, and which was passed over the veto of the President of the United States in the House of Representatives and in the Senate? Do we desire today, by this vote, to repeal the real keystone of the arch in that legislation? If we do, then we should vote for this amendment.

If we vote for this amendment, we cannot have registration of Communists, because to require a man to testify against himself by registration would be violating the Constitution of the United States. There is no law of the land which would require a man to violate that provision of the Constitution and register, if there was a law making it a felony, as is sought to do by this amendment, to be a member or knowingly to remain a member of the Communist organization.

There is no such thing, really, as a member of the Communist Party. We struck at the acts and conduct of Communists. We did not try to cover the question of membership, which they would all deny. They no longer carry cards. They would not have to be members in order to carry on the party activities.

Madam President, we should handle this situation by proceeding under the Smith Act, which strikes at conduct, and under the Internal Security Act, which strikes at conduct, rather than mere imaginary membership.

Mr. BUTLER. Madam President, before we vote I should like to reemphasize and reiterate that this bill would in no way relieve the Communist Party or any subversive organization of the requirement of complying with any final order of the Subversive Activities Control Board. If the Communist Party or any subversive organization were ordered to register by the Subversive Activities Control Board, nothing in this bill would relieve them of that requirement.

This bill preserves any rights under section 4 (f) of the Internal Security Act of 1950, and accordingly those rights remain in effect.

Furthermore, there is nothing in the bill which is intended to affect or which would affect either the Government of the United States or the Communist Party in prosecuting the present proceeding involving the Communist Party, pending in the Court of Appeals for the District of Columbia.

Mr. KNOWLAND. Madam President, how much time remains?

The PRESIDING OFFICER. The Senator from Maryland [Mr. BUTLER] has 2 minutes remaining; and the Senator from Minnesota [Mr. HUMPHREY] has 9 minutes remaining.

Mr. HUMPHREY. Madam President, we are prepared to use some of our time. First, I yield 4 minutes to the



distinguished junior Senator from New Mexico [Mr. ANDERSON].

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 4 minutes.

Mr. ANDERSON. Madam President, I was very happy to join with the able junior Senator from Texas [Mr. DANIEL] and the able junior Senator from Minnesota [Mr. HUMPHREY] in trying, the other day, to have the Senate pass a bill which would actually strike at this question by outlawing the Communist Party. That bill passed and went to the House.

Now we have before us the House amendments, one of which says that communism is a conspiracy against this Government, but that those guilty of participating in that conspiracy shall not feel the weight of our clenched fist, but shall see instead, only an admonitory finger.

Madam President, not only are we interested in taking vigorous and decisive action—a knockout blow—against the conspiracy as the House amendment does against the party, but we wish also to take a hard swing at the card-carrying Communists, the membership of the party. However, some persons do not seem to wish to do that.

This morning I talked with MARTIN DIES. When I was a Member of the House of Representatives, day after day MARTIN DIES would speak in the well of the House of Representatives about what to do about Communists and communism. Today MARTIN DIES told me that unless the amendment of the Senator from Minnesota is adopted, we might as well throw away the bill. The amendment of the Senator from Minnesota is the way to get at communism, MARTIN DIES says. He says we must use the 15 tests he has outlined, and the Senator from Minnesota has therefore included them in his amendment to the bill.

Madam President, what is the proper punishment for participation in a Communist conspiracy to overthrow this Government by force and violence? Shall we say only that one who participates in that conspiracy cannot be a justice of the peace? That is what the House says, for the House says that such a person cannot hold office. Or shall we say merely that such a person cannot prosecute a case in court? That is what the House says, for the House says that such a person cannot sue in court.

But the amendment of the Senator from Minnesota says that such a person is guilty of a felony, if he conspires against this Government, and he ought to be so held.

Mr. KNOWLAND. Madam President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. Madam President, I have but 4 minutes, but I am glad to yield to the Senator from California.

Mr. KNOWLAND. Does the Senator from New Mexico realize that the provisions of the Internal Security Act and the provisions of the Smith Act are still in force?

Mr. ANDERSON. Oh, yes, indeed; they are still in force, and I realize that. I also realize that the Internal Security

Act requires the registration of Communists. But will some Senator please rise and state how many Communists have registered under the provisions of that act? Not one. Some persons tell us that if the bill with the Humphrey amendment is enacted, it will absolutely paralyze the registration of Communists under the Internal Security Act. Again I ask, will any Senator rise and tell us how many Communists have registered under that act and how we can stop what never has started? The fact is that none has registered under that act, so far; and no one is going to register. All we are supposed to do is campaign against Communists; but when we actually get a chance to strike at Communists, oh, Madam President, we get suggestions to be careful not to do a thing against them, whatever we do.

Madam President, what was the meaning of the vote of 85 to 0, taken in the Senate the other day? I thought it meant that the Congress of the United States finally did something about Communists and outlawed that party. I realize that the able senior Senator from Maine [Mrs. SMITH], who now is presiding over this body, had for a long time tried to have the committee report her bill which strikes at communism and outlaws it. But she could not get it out of committee. Finally, it reached the floor by accident, and 85 Senators voted for it. But immediately many people began running for cover and began saying, "You must not do that. If you do, what you will do will be to destroy the registration of Communists."

Madam President, I believe that the 85 Senators who voted in favor of that bill meant to have Congress take action against the Communist Party. If any of those Senators did not wish to have that done, they should have voted the other way.

Of course, the Communists will go under cover. That will be only natural. After all, what happens in the case of murderers and thieves and thugs? Do not they go under cover, and are not they called the underworld?

Madam President, in the Talmud there is a wonderful passage that tells about what should be done when a man is found to have been murdered. Does the Talmud say that in that situation all known thieves and murderers should be rounded up? No, Madam President; it says that in such a situation the people of the community should gather together, and the elders should be lined up, and each elder should be required to stand and say, "My hand has not shed this blood," because it is the responsibility of the good people of the community to see that the laws are obeyed. It is the duty of the good people in this Senate to strike at communism.

All of us recognize that communism can go underground; but I say we had better stand by the vote cast the other day in outlawing the Communist Party and vote for the Humphrey amendment to do that job again.

The PRESIDING OFFICER (Mr. PURTELL in the chair). The time of the Senator from New Mexico has expired.

Mr. HUMPHREY. Mr. President, I yield 3 minutes to the Senator from Missouri [Mr. HENNINGS].

The PRESIDING OFFICER. The Senator from Missouri is recognized for 3 minutes.

Mr. HENNINGS. Mr. President, I shall be very brief, but I think it most important to point out that on page 13 of the Humphrey version of the House bill, the following appears in line 17:

Nothing in this section shall be construed as amending the Internal Security Act of 1950, as amended.

Of course, this means clearly that nothing is to be taken away from, or in anywise construed as diminishing the force and effect of, the Internal Security Act of 1950.

As the Senator from New Mexico has pointed out, we have certainly, insofar as we may have been told during the debate, or as it may have been indicated by any of the proponents of the other version, yet to hear or to learn of any Communist organization which ever has registered under the act. Much is made of the point that the Communist organization, the subversive conspiratorial force, will go underground. Mr. President, has not it been underground these many years? Is not the Department of Justice charged with the responsibility of enforcing the Federal statutes against this conspiracy? And would not we all expect it to go underground as law violators have always had a way of doing?

I must say, Mr. President, in fairness to this entire subject of discussion, that it would certainly have been preferable had hearings been held in committee on this measure or any related ones—such as the original Butler bill. I think it would have been much better if the whole field of this problem had been thoroughly discussed in committee after full hearings, and if the membership of the Senate had been given some time to reflect upon the alternatives. But now that we have before us a measure which undertakes to strike at communism, through the members of that conspiracy—which, as we know, is certainly not a political party within our understanding of that term, we should meet the issue head on, by striking at the individuals, the conspirators themselves who knowingly and willfully make up this movement, give it its life and being, and who are the mortal enemies of our country.

Mr. BUTLER. Mr. President, let me say to my good friend, the Senator from Missouri—and he is my good friend—that the provision beginning in line 16, on page 16, does not have quite the effect the Senator from Missouri says it has. The Congress of the United States may not by such language disavow the plain intent of legislation passed by it.

The amendment of the Senator from Minnesota makes membership in the Communist Party the essential element of a criminal offense. If adopting such a provision, we shall have destroyed the Internal Security Act, because that act provides that Communists must register. But under the fifth amendment a man cannot be forced to testify against himself. So in that way we shall have

simply destroyed the Internal Security Act.

Mr. KNOWLAND. Mr. President, will the Senator from Maryland yield for a question?

Mr. BUTLER. I am very happy to yield.

Mr. KNOWLAND. In the judgment of the Senator from Maryland, would not this amendment at this stage of the legislative procedure kill the bill?

Mr. BUTLER. I can confidently say to our distinguished majority leader that it would kill this bill just as dead as a dodo.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. BUTLER. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. BUTLER. I yield.

Mr. HUMPHREY. Is the Senator from Maryland familiar with section 4 (f) of the Internal Security Act?

Mr. BUTLER. Yes. I have it in front of me.

Mr. HUMPHREY. Will the Senator read the provision of that section?

Mr. BUTLER. Without that provision in the law we would have been in a great deal of trouble.

Mr. HUMPHREY. Will the Senator read the provision of that section to the Senate?

Mr. BUTLER. The Senator will have to read it to the Senate on his own time.

Mr. HUMPHREY. Does that section not give a kind of immunity in the matter of administration?

Mr. BUTLER. No. I have made my point. I say we cannot legislate that way.

If we are going to say that the essential element of a criminal offense is to be a member of a proscribed organization, we cannot, in another act, say that members of that organization must register, because that would be forcing a man to testify against himself.

Mr. HENNINGS. We can give them immunity.

Mr. BUTLER. When the Senator from Minnesota first offered his original amendment to my bill, I told the Senator his proposal was completely unworkable for one cardinal reason, namely, there is no such thing as membership in the Communist Party. If that be true, as it is, and we prescribe rules with relation to membership, what do they do? They do exactly as they did under section 9 (h) of the Taft-Hartley law; they resign, sign the oath, and then the next day they rejoin the organization.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. HUMPHREY. I yield 1 minute to the Senator from Maine [Mrs. SMITH].

Mrs. SMITH of Maine. Mr. President, in spite of all the legalistic and technical arguments which have been made, the question here is very simple and direct. Either we are for outlawing the Commu-

nist Party or we are against doing so. Either we are completely, not qualifiedly, against the Communist Party, or we are not. Either we are for this amendment or we are against it.

I am in favor of outlawing the Communist Party, Mr. President. I am in favor of doing it the real and honest way; not in a half-hearted way. Therefore, I shall vote for the amendment.

Mr. LONG. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from Louisiana.

Mr. LONG. During the 6 years I have had the privilege of serving as a Member of the Senate I have heard many people talk about doing something about the Communist Party. They have said that we should make Communists register, or decree they could not practice before the courts, or that they could not appeal a case before the National Labor Relations Board.

Mr. President, I am opposed to communism. I believe that if Russia ever decided to strike against this Nation, every Communist in America would be capable of carrying a suitcase with an atom bomb in it to the nearest defense base, destroy it, and in the end destroy our country.

So far as I am concerned, if I have a choice between making Communists register and putting them in jail, I want them to be put in jail. Therefore, I shall vote for the Humphrey amendment.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I will yield whatever time I have remaining to the Senator from New York [Mr. LEHMAN].

The PRESIDING OFFICER. There are 20 seconds remaining.

Mr. LEHMAN. I merely wish to say that I fully concur with the remarks of the Senator from Maine [Mrs. SMITH]. She has already expressed my sentiments in full.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota to the amendments of the House.

Mr. HUMPHREY. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Eastland	Johnson, Tex.
Anderson	Ellender	Johnston, S. C.
Barrett	Ferguson	Kefauver
Beall	Frear	Kennedy
Bennett	Fulbright	Kerr
Bowring	George	Kilgore
Bricker	Gillette	Knowland
Burke	Goldwater	Kuchel
Bush	Gore	Langer
Butler	Green	Lehman
Carlson	Hayden	Lennon
Case	Hendrickson	Long
Chavez	Hennings	Magnuson
Clements	Hickenlooper	Malone
Cooper	Hill	Mansfield
Cordon	Holland	Martin
Crippa	Humphrey	McCarran
Dirksen	Ives	McCarthy
Duff	Jackson	McClellan
Dworshak	Johnson, Colo.	Millikin

Monroney  
Morse  
Mundt  
Murray  
Neely  
Pastore  
Payne  
Potter

Purtell  
Reynolds  
Robertson  
Russell  
Saitonstall  
Schoepfel  
Smathers  
Smith, Maine

Smith, N. J.  
Stennis  
Symington  
Thye  
Watkins  
Williams  
Young

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY] to the House amendments to Senate bill 3706. On this question the yeas and nays have been ordered.

Mr. LANGER. Mr. President, may we have the amendment read?

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, after section 3, in the House amendments it is proposed to insert new sections, as follows:

Sec. 4. Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

Sec. 5. In determining membership or participation in the Communist Party or any other organization defined in this act, the jury, under instructions from the court, shall consider evidence, if presented, as to whether the accused person:

(1) Has been listed to his knowledge as a member in any book or any of the lists, records, correspondence, or any other document of the organization;

(2) Has made financial contribution to the organization in dues, assessments, loans, or in any other form;

(3) Has made himself subject to the discipline of the organization in any form whatsoever;

(4) Has executed orders, plans, or directions of any kind of the organization;

(5) Has acted as an agent, courier, messenger, correspondent, organizer, or in any other capacity in behalf of the organization;

(6) Has conferred with officers or other members of the organization in behalf of any plan or enterprise of the organization;

(7) Has been accepted to his knowledge as an officer or member of the organization or as one to be called upon for services by other officers or members of the organization;

(8) Has written, spoken or in any other way communicated by signal, semaphore, sign, or in any other form of communication orders, directives, or plans of the organization;

(9) Has prepared documents, pamphlets, leaflets, books, or any other type of publication in behalf of the objectives and purposes of the organization;

(10) Has mailed, shipped, circulated, distributed, delivered, or in any other way sent or delivered to others material or propaganda of any kind in behalf of the organization;



(11) Has advised, counseled, or in any other way imparted information, suggestions, recommendations to officers or members of the organization or to anyone else in behalf of the objectives of the organization;

(12) Has indicated by word, action, conduct, writing, or in any other way a willingness to carry out in any manner and to any degree the plans, designs, objectives, or purposes of the organization;

(13) Has in any other way participated in the activities, planning, actions, objectives, or purposes of the organization.

(14) The enumeration of the above subjects of evidence on membership or participation in the Communist Party or any other organization as above defined, shall not limit the inquiry into and consideration of any other subject of evidence on membership and participation as herein stated.

Amend the title so as to read: "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

The PRESIDING OFFICER (Mr. PURTELL in the chair). The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] to the amendments of the House to Senate bill 3706. The yeas and nays have been ordered, and the Secretary will call the roll.

The Chief Clerk called the roll.

Mr. KEFAUVER (after having voted in the negative). On this vote I have a pair with the senior Senator from Illinois [Mr. DOUGLAS]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withdraw my vote.

Mr. LENNON (after having voted in the negative). I have a pair with the junior Senator from Texas [Mr. DANIEL]. If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote the senior Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from South Carolina [Mr. MAYBANK], the senior Senator from Indiana [Mr. CAPEHART] is paired with the Senator from North Carolina [Mr. ERVIN], the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN], and the Senator from Idaho [Mr. WELKER] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the senior Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the Senator from Idaho [Mr. WELKER] would each vote "nay" while the Senator from South Carolina [Mr. MAYBANK], the Senator from North Carolina [Mr. ERVIN],

the Senator from Alabama [Mr. SPARKMAN], and the Senator from Mississippi [Mr. EASTLAND] would each vote "yea." If present and voting, the junior Senator from Indiana [Mr. JENNER] and the junior Senator from New Hampshire [Mr. UPTON] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

I announce further that the Senator from Mississippi [Mr. EASTLAND] is paired on this vote with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Idaho would vote "nay."

The Senator from North Carolina [Mr. ERVIN] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from South Carolina [Mr. MAYBANK] is paired on this vote with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from New Hampshire would vote "nay."

The Senator from Alabama [Mr. SPARKMAN] is paired on this vote with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "yea," and the Senator from Vermont would vote "nay."

Mr. KNOWLAND. Madam President, how am I recorded?

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). The Senator is recorded as having voted in the negative.

Mr. FERGUSON. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. CORDON. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. PURTELL. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. MUNDT. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as voting in the negative.

Mr. THYE. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. HENDRICKSON. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. JOHNSON of Texas. Madam President, I ask for the regular order.

The result was announced—yeas 41, nays 39, as follows:

#### YEAS—41

Anderson	Holland	Mansfield
Burke	Humphrey	McClellan
Chavez	Jackson	Monroney
Clements	Johnson, Colo.	Morse
Ellender	Johnson, Tex.	Murray
Frear	Johnston, S. C.	Neely
Fulbright	Kennedy	Pastore
George	Kerr	Robertson
Gillette	Kilgore	Russell
Gore	Kuchel	Smithers
Green	Langer	Smith, Maine
Hayden	Lehman	Stennis
Hennings	Long	Symington
Hill	Magnuson	

#### NAYS—39

Alken	Dirksen	Millikin
Barrett	Duff	Mundt
Beall	Dworshak	Payne
Bennett	Ferguson	Potter
Bowring	Goldwater	Purtell
Bricker	Hendrickson	Reynolds
Bush	Hickenlooper	Saltonstall
Butler	Ives	Schoepfel
Carlson	Knowland	Smith, N. J.
Case	Malone	Thye
Cooper	Martin	Watkins
Cordon	McCarran	Williams
Crippa	McCarthy	Young

#### NOT VOTING—16

Bridges	Ervin	Sparkman
Byrd	Flanders	Upton
Capehart	Jenner	Welker
Daniel	Kefauver	Wiley
Douglas	Lennon	
Eastland	Maybank	

So Mr. HUMPHREY's amendment to the amendments of the House was agreed to.

Mr. JOHNSON of Texas. Madam President, I move that the vote by which the Humphrey amendment was agreed to be reconsidered.

Mr. GORE. Madam President, I move to lay that motion on the table.

Mr. KNOWLAND. Madam President, I ask for the yeas and nays on the motion to lay on the table.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote the senior Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from South Carolina [Mr. MAYBANK], the senior Senator from Indiana [Mr. CAPEHART] is paired with the Senator from North Carolina [Mr. ERVIN], the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN], the junior Senator from Indiana [Mr. JENNER] is paired with the Senator from Mississippi [Mr. EASTLAND], the junior Senator from New Hampshire [Mr. UPTON] is paired with the Senator from Texas [Mr. DANIEL], and the Senator from Idaho [Mr. WELKER] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the senior Senator

from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from New Hampshire [Mr. UPTON], and the Senator from Idaho [Mr. WELKER] would each vote "nay," while the Senator from South Carolina [Mr. MAYBANK], the Senator from North Carolina [Mr. ERVIN], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. EASTLAND], the Senator from Texas [Mr. DANIEL], and the Senator from Illinois [Mr. DOUGLAS] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

I announce further that the Senator from Texas [Mr. DANIEL] is paired on this vote with the Senator from New Hampshire [Mr. UPTON]. If present and voting, the Senator from Texas would vote "yea," and the Senator from New Hampshire would vote "nay."

The Senator from Illinois [Mr. DOUGLAS] is paired on this vote with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Idaho would vote "nay."

The Senator from Mississippi [Mr. EASTLAND] is paired on this vote with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from North Carolina [Mr. ERVIN] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from South Carolina [Mr. MAYBANK] is paired on this vote with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from New Hampshire would vote "nay."

The Senator from Alabama [Mr. SPARKMAN] is paired on this vote with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "yea," and the Senator from Vermont would vote "nay."

The result was announced—yeas 43, nays 39, as follows:

## YEAS—43

Anderson	Hayden	Kerr
Burke	Hennings	Kilgore
Chavez	Hill	Kuchel
Clements	Holland	Langer
Ellender	Humphrey	Lehman
Frear	Jackson	Lennon
Fulbright	Johnson, Colo.	Long
George	Johnson, Tex.	Magnuson
Gillette	Johnston, S. C.	Mansfield
Gore	Kefauver	McClellan
Green	Kennedy	Monroney

Morse  
Murray  
Neely  
Pastore

Robertson  
Russell  
Smathers  
Smith, Maine

Stennis  
Symington

## NAYS—39

Aiken	Dirksen	Millikin
Barrett	Duff	Mundt
Beall	Dworshak	Payne
Bennett	Ferguson	Potter
Bowring	Goldwater	Purtell
Bricker	Hendrickson	Reynolds
Bush	Hickenlooper	Saltonstall
Butler	Ives	Schoeppel
Carlson	Knowland	Smith, N. J.
Case	Malone	Thye
Cooper	Martin	Watkins
Cordon	McCarran	Williams
Crippa	McCarthy	Young

## NOT VOTING—14

Bridges	Eastland	Sparkman
Byrd	Ervin	Upton
Capehart	Flinders	Welker
Daniel	Jenner	Wiley
Douglas	Maybank	

So Mr. GORE's motion to lay on the table the motion of Mr. JOHNSON of Texas was agreed to.

Mr. HUMPHREY. Madam President, I ask unanimous consent that the clerks be authorized to change the section numbers.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Madam President, I ask unanimous consent that the title may be amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LEHMAN. Madam President, I offer an amendment, which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 16, it is proposed to strike out sections 4, 5, 6, 7, 8, 9, and 10.

Amend the title by striking out all after "to outlaw the Communist Party."

The PRESIDING OFFICER. Will the Senator from New York advise the Chair how much time he yields to himself?

Mr. LEHMAN. I yield myself 15 minutes.

Madam President, my amendment proposes to delete from the bill the so-called Butler amendment, which was attached to the Humphrey substitute some days ago. I have studied this question many times before, and, in my opinion, the Butler amendment is very dangerous, indeed. It gives to the Attorney General and the Subversive Activities Control Board power over labor unions which, under no circumstances, should be lodged in any governmental agency.

I would not place this deadly anti-union weapon in the hands of any administration, even one of my own political persuasion. I do not think it belongs in the hands of government. It certainly does not belong in the hands of the Attorney General and the Subversive Activities Control Board, who have neither experience nor any sense of responsibility for the preservation of the labor movement in this country.

Here is the real crux of the matter. The pending bill, as I have indicated, and as I shall further demonstrate in a moment will be completely ineffective in its avowed purposes while it holds under its terms, promise of grave and almost

incalculable danger to the proper, legitimate, and responsible labor movement in America.

This is why the two leading labor organizations in this country, the CIO and A. F. of L., are strongly opposed to this measure. Were it otherwise, they would be among its prime supporters. The CIO has been devoting a major share of its efforts—undertaking with sweat, blood, and tears to destroy the Communist influence in the labor movement. It expelled nine unions believed to be under Communist influence. It has been engaged in an all-out effort to win the loyal members away from those unions and, as I have already indicated, succeeded in a remarkable degree.

The A. F. of L., as far as I know, has had no great Communist problem. There is no international union in the A. F. of L. which, as far as I know, reflects a Communist influence. But the A. F. of L., too, has been participating with all its might and main in the fight against communism in the labor union movement, in the country as a whole, and, indeed, in the world labor movement.

Would it not be logical if this legislation had any promise of being successful in its avowed objective for these unions to support this bill?

But they are opposing it. They are opposing it strongly. They see in it a threat not to Communist-dominated unions but to the entire American labor movement.

It is worth noting that the views of these two labor unions which have most of the knowledge and experience that there is about Communist-dominated unions, were not even heard in the public hearings on this legislation. Their views were subsequently filed with the committee, in the form of written statements.

As far as the way in which this legislation would operate is concerned, it would penalize not the Communists who have—to use the term established in this bill—"infiltrated" the labor movement, but rather to penalize the labor unions themselves.

The standards and criteria set forth in this bill are so vague and indefinite that no labor union has any assurance that it will not be brought before the Subversive Activities Control Board on the charge of being Communist infiltrated. The definition of a Communist-infiltrated organization is a union which is dominated by an individual or individuals actively engaged in a Communist organization. What is meant by "actively engaged in"? Is it confined to membership, or does it include association with Communists, or subscription to the Daily Worker, or contributions to an organization subsequently labeled as a Communist-front organization?

Under the terms of the bill, a union can be proscribed if its "effective management" was conducted by one or more individuals who are, or within 3 years have been, members, agents, or representatives of any Communist organizations or any Communist foreign government or the world Communist movement "with knowledge of the nature and purpose thereof." What does "effective management" mean in this context? What dangers to legitimate labor organizations might be involved in this



proscription of unions whose "effective management" resides in the hands of an individual or individuals who as long as 3 years before were members or representatives of "any Communist organization?"

What does the bill mean in defining Communist infiltration as a situation in which the policies of a union have been carried out "pursuant to the direction or advice of any member, agent, or representative" of a Communist organization? Is a showing of mere coincidence of policies sufficient?

There is a third standard which refers to the furtherance or promotion of the objectives of Communist organizations. It is not only possible, but inevitable, that labor unions as well as other organizations will support some causes which are also hypocritically espoused by the Communist Party. Is this a ground for condemnation of such a labor union as a Communist-infiltrated organization?

Mr. MANSFIELD. Madam President, will the Senator yield?

Mr. LEHMAN. I yield to the Senator from Montana.

Mr. MANSFIELD. Will the Senator from New York explain exactly how the particular series of amendments which he proposes in the form of one amendment would be applicable to cases before the National Labor Relations Board?

Mr. LEHMAN. Under the bill as presently framed, without my amendment, I think almost certainly labor unions, on complaint of the Attorney General and action by the Subversive Activities Control Board, could be completely deprived of the services and the use of the National Labor Relations Board, thus penalizing hundreds of thousands, if not millions, of hard-working, loyal, patriotic men and women in organized labor.

Mr. MANSFIELD. Will the Senator yield further?

Mr. LEHMAN. I yield.

Mr. MANSFIELD. Mr. President, it seems to me that the amendments which the Senator from New York is offering encompass a great deal of territory, and should be given serious consideration. How does the amendment offered by the Senator from New York affect the amendment previously offered by the Senator from Minnesota and agreed to?

Mr. LEHMAN. The fact that we have again affirmed the Humphrey amendment and turned back the completely innocuous and ineffective House amendment certainly very greatly helps the situation. As is recorded in the CONGRESSIONAL RECORD, I have felt that if the Humphrey amendment were agreed to it would not be necessary to enact a great many "fringe" provisions, and that their effectiveness, if agreed to, would be greatly lessened, because action would be taken under the Humphrey amendment.

Mr. MANSFIELD. Is the Senator from New York responsible for bringing in at this particular time the many volumes of the CONGRESSIONAL RECORD which are piled on the desk near him?

Mr. LEHMAN. I do not even know what they are.

Mr. NEELY. Madam President, if the Senator will yield to me, I will assure him that I will refer to the mountain of

RECORDS on the desk in a manner that will dispel the prevailing fog.

Mr. FERGUSON. Madam President, will the Senator yield?

Mr. LEHMAN. I do not yield at this time.

Madam President, I have stated my views on the very dangerous issue of the Butler amendment, and I need add nothing further. I withdraw my amendment.

Mr. FERGUSON. Madam President, Will the Senator yield?

Mr. LEHMAN. I have withdrawn my amendment.

Mr. FERGUSON. Will the Senator yield for a question?

Mr. LEHMAN. I have withdrawn my amendment. I yield the floor.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. FERGUSON. Will the Senator yield for a question?

Mr. LEHMAN. The Senator from Michigan can speak on his own time.

Mr. JOHNSON of Texas. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. The Senator from New York has withdrawn his amendment.

Mr. BUTLER. Madam President, a parliamentary inquiry?

Mr. JOHNSON of Texas. Has the Senator from New York any time remaining once he has withdrawn his amendment?

The PRESIDING OFFICER. He has not.

The House amendments are open to further amendment.

Mr. HUMPHREY. Madam President, I move that the Senate concur in the House amendments, as amended.

Mr. KNOWLAND. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Is it correct that under the unanimous-consent agreement, if the yeas and nays are ordered, immediately following a quorum call the Senate will vote on the motion of the Senator from Minnesota?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Has all the remaining time expired?

The PRESIDING OFFICER. It has.

Mr. JOHNSON of Texas. Madam President, I ask for the yeas and nays on the motion of the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Texas will have to ask unanimous consent to have the yeas and nays ordered.

Mr. JOHNSON of Texas. Madam President, I ask unanimous consent that the yeas and nays be ordered.

The PRESIDING OFFICER. Is there objection?

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will continue with the call of the roll.

The Chief Clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Alken	Gore	McCarthy
Anderson	Green	McClellan
Barrett	Hayden	Millikin
Beall	Hendrickson	Monroney
Bennett	Hennings	Morse
Bowring	Hickenlooper	Mundt
Bricker	Hill	Murray
Burke	Holland	Neely
Bush	Humphrey	Pastore
Butler	Jackson	Payne
Carlson	Johnson, Colo.	Potter
Case	Johnson, Tex.	Purtell
Chavez	Johnston, S. C.	Reynolds
Clements	Kefauver	Robertson
Cooper	Kennedy	Russell
Cordon	Kerr	Saltonstall
Crippa	Kilgore	Schoepfel
Dirksen	Knowland	Smathers
Duff	Kuchel	Smith, Maine
Dworshak	Langer	Smith, N. J.
Ellender	Lehman	Stennis
Ervin	Lennon	Symington
Ferguson	Long	Thye
Frear	Magnuson	Watkins
Fulbright	Malone	Williams
George	Mansfield	Young
Gillette	Martin	
Goldwater	McCarran	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the motion of the Senator from Minnesota [Mr. HUMPHREY] that the Senate concur in the amendments of the House, as amended.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the Senator from New York [Mr. IVES], the junior Senator from Indiana [Mr. JENNER], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

If present and voting the senior Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the Senator from New York [Mr. IVES], the junior Senator from Indiana [Mr. JENNER], the junior Senator from New Hampshire [Mr. UPTON], and the Senator from Idaho [Mr. WELKER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. MAYBANK], and the Sen-

ator from Alabama [Mr. SPARKMAN] would each vote "yea."

The result was announced—yeas 81, nays 1, as follows:

## YEAS—81

Aiken	Goldwater	McCarran
Anderson	Gore	McCarthy
Barrett	Green	McClellan
Beall	Hayden	Millikin
Bennett	Hendrickson	Monroney
Bowring	Hennings	Morse
Bricker	Hickenlooper	Mundt
Burke	Hill	Murray
Bush	Holland	Neely
Butler	Humphrey	Pastore
Carlson	Jackson	Payne
Case	Johnson, Colo.	Potter
Chavez	Johnson, Tex.	Purtell
Clements	Johnston, S. C.	Reynolds
Cooper	Kennedy	Robertson
Cordon	Kerr	Russell
Crippa	Kilgore	Saltonstall
Dirksen	Knowland	Schoeppel
Duff	Kuchel	Smathers
Dworschak	Langer	Smith, Maine
Ellender	Lehman	Smith, N. J.
Ervin	Lennon	Stennis
Ferguson	Long	Symington
Frear	Magnuson	Thye
Fulbright	Malone	Watkins
George	Mansfield	Williams
Gillette	Martin	Young

## NAYS—1

Kefauver

## NOT VOTING—14

Bridges	Eastland	Sparkman
Byrd	Flanders	Upton
Capehart	Ives	Welker
Daniel	Jenner	Wiley
Douglas	Maybank	

So Mr. HUMPHREY's motion to concur in the House amendments, to the Senate bill 3706, as amended, was agreed to.

The title was amended so as to read "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

Mr. BUTLER. Madam President, I hope the Senate will note—and I ask the press particularly to note—what we have done. As I have previously stated, the bill, as amended by the Humphrey amendment is substantially the same as the provisions in the Smith Act. I read section 2 of the Smith Act.

Sec. 2. (a) It shall be unlawful for any person—

(1) to knowingly or willfully advocate, abet, advise, or teach the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or by the assassination of any officer of any such government—

I shall skip paragraph (2) and read paragraph (3)—

(3) to organize or help to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any government in the United States by force or violence; or to be or become a member of, or affiliate with, any such society, group, or assembly of persons, knowing the purposes thereof.

I insist that the only thing we have done here today is to emasculate a good piece of legislation.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. JOHNSON of Texas. Was the Senator a party to that emasculation? I observe the yea-and-nay vote; and un-

less there is some error the Senator from Maryland voted with the "yeas."

Mr. BUTLER. I voted to save what little I could, knowing that this proposed legislation carries a separability clause. I think the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] will be knocked out by the Supreme Court if it remains in the law.

Mr. JOHNSON of Texas. But the Senator from Maryland voted to concur in the House amendments, as amended?

Mr. BUTLER. I voted to save what I could of this legislation.

Mr. JOHNSON of Texas. I thank the Senator.

## FIXING THE TIME OF ASSEMBLY OF THE 84TH CONGRESS

Mr. KNOWLAND. Mr. President, I ask that the Chair lay before the Senate House Joint Resolution 585.

The PRESIDING OFFICER laid before the Senate the joint resolution (H. J. Res. 585) to fix the time of assembly of the 84th Congress, which was read the first time by its title and the second time at length, as follows:

*Resolved, etc., That the 84th Congress shall assemble at noon on Wednesday, January 5, 1955.*

Mr. KNOWLAND. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

## PROTECTION OF STRATEGIC DEFENSE FACILITIES AGAINST ACTS OF SABOTAGE, ETC.

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the unfinished business before the Senate?

The PRESIDING OFFICER. The unfinished business is Senate bill 3428, a bill to authorize the Federal Government to guard strategic defense facilities against acts of sabotage.

## AMENDMENT OF DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT—CONFERENCE REPORT

Mr. KNOWLAND. Madam President, there are two conference reports, the consideration of which I do not believe will take more than 1 or 2 minutes each. The Senator from Maryland [Mr. BEALL] has a conference report to submit.

The PRESIDING OFFICER. The Senator from Maryland [Mr. BEALL] is recognized.

Mr. BEALL. Madam President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3482) to amend the

District of Columbia Unemployment Compensation Act, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 16, 1954, pp. 14666-14670, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Madam President, I ask the Senator from Maryland if this is the conference report the Senator from Maryland discussed with the majority leader and minority leader.

Mr. BEALL. It is.

Mr. KNOWLAND. Dealing with the District of Columbia?

Mr. BEALL. Yes.

Mr. KNOWLAND. Will the Senator please give a brief explanation?

Mr. BEALL. Madam President, I wish to read a statement signed by the Senate conferees. It is as follows:

The conferees on the part of the Senate on this bill favored its enactment in the form in which it passed the Senate.

It was evident, however, that insistence upon all of the Senate language would result in a deadlock, preventing the passage of any legislation whatever.

The present District of Columbia unemployment compensation law has benefits equal to the lowest benefits of any State in the Union, equaled by only 3 or 4 States. The Senate conferees believed that it would be preferable to obtain the considerable gains that this bill, as reported from conference, affords rather than to hold out for more and achieve nothing.

As reported from conference, the bill provides benefits of up to \$30 a week, as contrasted with the present \$20. It provides for 26 weeks of payment, or 33 1/2 percent of the base-period earnings, whichever is lesser, as contrasted with 20 weeks, or 50 percent of base-period earnings, whichever is lesser, provided in present law.

The bill as reported from conference provides for unlimited stepback in calculating benefits, which is more beneficial to low-income workers than the bill originally passed by the Senate.

The Senate conferees believe that the Congress in its next session should continue to build on these gains. Your conferees intend to propose further amendments to the law in the next Congress designed to liberalize some of the stringent disqualification provisions contained in the conference bill and thereby extend unemployment benefits more widely than provided for in the bill as reported.

Your conferees believe that the present proposal is a step forward, however, and brings the District substantially into line with many States in this field. With certain further improvements, the law of the District can become a model for the country, as your conferees believe it should be.

This statement is signed by me, by the Senator from Maine [Mr. PAYNE], and the Senator from Montana [Mr. MANSFIELD].

Mr. MORSE. Madam President, will the Senator yield?

Mr. BEALL. I yield to the Senator from Oregon.



Mr. KNOWLAND. Madam President, we have several more items to consider.

Mr. MORSE. I desire to speak on this particular conference report.

Mr. KNOWLAND. I am sorry. I did not understand that.

Mr. MORSE. Madam President, when this bill passed the Senate it carried an amendment offered by the junior Senator from Oregon which was accepted by the chairman of the Senate District Committee. This amendment, in my judgment, was important to thousands of workers who from time to time are forced to depend upon unemployment compensation benefits.

I am disturbed, therefore, to discover that the bill as it passed the House and as it has now come out of conference does not carry my amendment.

I appreciate the statement of the Senator from Maryland [Mr. BEALL] on behalf of himself and the other distinguished Senate conferees that they tried to bring back from conference the bill as it passed the Senate. I accept their judgment that this was not possible and that to have persisted, in the present circumstances, would have meant no legislation whatever.

I happen to believe that it would be better not to enact any legislation on this subject until the next session of Congress. If this report is approved, however, a bill which I intend to offer at the conclusion of my remarks should be considered in the next session by the appropriate committees of Congress.

Madam President, honest men can differ as to the proper procedure. I shall vote against the conference report, not because I do not have the highest regard for the Senate conferees and not because I do not appreciate the situation in which they found themselves in conference. I think they had a duty to the Senate to bring from conference the best bill they could obtain, and I think they have done so. However, when Senate conferees have done that, it does not automatically follow that we should approve the bill they bring back to the Senate. I do not consider the rejection of a conference report any reflection on the Senate conferees. It merely means that the conferees did the best they could, but that the Senate decides, in the overall public interest, that it is better to have no bill at all than agree to such a conference report. That is my personal judgment in this case. I do not think we can close the books on the question; nor do I propose to do so by accepting the conference report.

The amendment which I offered when this bill passed the Senate, and which was approved by the Senate, would have moderated what I believe are excessively severe penalty provisions of this bill. These penalties apply to three groups of workers: Those who leave a job without adequate cause, those who refuse to take work for which they are qualified, and those who lose their jobs for misconduct.

As passed by the Senate, with my amendment, the bill would have denied all unemployment benefits to such workers for 6 weeks. Thereafter, they would be eligible for full benefits until again employed. This seemed to many of us

to be a fully adequate penalty for the type of "offense" involved—if we may so describe acts of this kind which can be judged only subjectively, at best.

The bill as it comes from conference, unfortunately, raises this penalty waiting period to a variable 4 to 9 weeks, at the discretion of the Unemployment Compensation Board. But worse, it then deducts that waiting period from the total benefit eligibility.

What this means, Mr. President, is that an employee conceivably under this conference bill could obtain not 26 weeks but only 17 weeks of benefits. Whereas under present law, employees—whether they fall into 1 of the penalty classes or not—are eligible for 20 weeks. In other words, for some workers, the bill could be a net loss in their total benefit period.

I am glad for the gains over present law in this bill, sorry that we cannot achieve more. I congratulate the conferees on their intention to seek further legislative action in the next Congress. I realize it is too late for that in this session.

Madam President, I am proud to have as cosponsors with me on the bill which I shall introduce when I finish my brief remarks, the Senate conferees, who, I am satisfied, are completely accurate when they say they brought back from conference the very best bill they could. It is simply not good enough, and should not be agreed to.

I believe we should have something concrete before our committees and the appropriate agencies of the executive branch during the fall which can be studied and readied for early action in the new Congress.

Accordingly, I am introducing for appropriate reference a bill to further amend the Unemployment Compensation Act of the District to lessen these excessive penalties. I hope that it will have thorough study this fall and early action in the 84th Congress, if this conference report is adopted.

Disqualification provisions, properly applied, should define the boundaries of the program in terms of its objectives, and should not be used as penalties against claimants or to regiment their conduct, as would be the case under the proposed amendments to the District of Columbia law. The basic purpose of disqualifications is to assure that benefits are payable only to those whose current unemployment is involuntary, and who are able and willing to work. It is not to set an administrative agency up in judgment upon an individual's character or conduct.

One of the strengths of our free economy lies in the high mobility of labor. Unemployment insurance should not interfere with this mobility, through any provision which tends to chain a free American worker to a particular employer. Disqualifications which cancel or reduce a claimant's benefit rights when they leave one job have just such a tendency.

Furthermore, the reduction in benefit rights or cancellation of wage credits reduces the protection a worker may need should he again become involuntarily unemployed. Wage credits should

be a measure of attachment to the labor market, not a reward for good service.

Madam President, I should also like respectfully to suggest that we should not overlook one of the major social purposes of unemployment benefit insurance, namely, the welfare of the children and the family.

We may not completely approve of a certain course of action which a worker may take in regard to a job allocated by an unemployment insurance commissioner. Very frequently we find problems of human relationships, and cases in which an unemployment insurance commissioner says in effect, "There is a job for you; you take that job," although the worker has a very good reason for insisting that he should not be required to take the particular job. Let us not overlook the fact that what we are seeking is a social objective in unemployment insurance benefits, namely, to protect the family, and to make certain that the children will get some food and that means will be afforded with which to support the wife and family.

That is why I say it is easy for us to direct our attention to the worker and take the position that we ought to give wide discretionary power to an unemployment insurance commissioner, and permit him to dictate, direct, and order the unemployed workers around as he pleases.

Madam President, in my judgment we should keep in mind the fact that when benefit rights are reduced or wage credits canceled, this can operate arbitrarily and inequitably, since the severity of the disqualification depends mainly on the length of previous employment and the presence or absence of any other wage credits.

Furthermore, it is undesirable to impose indeterminate and variable disqualification periods as a consequence of a disqualifying act. Denials of benefits in the duration of the unemployment may have consequences which are much more serious than the disqualifying act should warrant. Periods which depend upon the discretion of the agency are difficult to administer, since they involve judgment and discretion on the part of administrative personnel, in an area where they are no proper or objective standards to govern such a judgment—as in making a decision, such as would be required under this bill, as to the relative seriousness of a case in which a man exercises his right as a free American to quit his job.

It is doubtful, moreover, whether one type of disqualification deserves a longer disqualification period than another type. Such disqualifications are punitive and vindictive in nature and have no place in a social-insurance program.

I do not believe that punitive power should be vested in an unemployment insurance commissioner.

The duration of a disqualification period should be fixed and uniform and should not exceed the time required by the average individual to find work in a year when business is good. If a claimant is unemployed beyond that time in spite of the fact that he is seeking work, it is reasonable to conclude that his un-

employment is due to bad economic conditions against which the unemployment-insurance program professes to, and should, insure him.

Therefore, Madam President, for those reasons I am introducing for appropriate reference a bill to amend further the Unemployment Compensation Act of the District of Columbia in order to lessen the severe penalties. I hope it will be fully studied this fall and receive early action in the 84th Congress if the conference report is agreed to.

I am very proud to introduce the bill with the cosponsors whose names appear on it. I introduce the bill on behalf of myself, the Senator from West Virginia [Mr. NEELY], and the three Senate conferees on the bill now before the Senate, the Senator from Maryland [Mr. BEALL], the Senator from Montana [Mr. MANSFIELD], and the Senator from Maine [Mr. PAYNE].

I assure the three conferees that not a word I have uttered in my remarks is intended as the slightest criticism of what I believe was a remarkable job on their part under the circumstances.

They were up against adamant House conferees, who apparently favor the punitive approach to the subject of unemployment insurance, and in respect to the issue that is set forth in the remarks I have just made on the floor of the Senate.

I express only my personal view when I say that no great harm will be done if we do not change the law at all between now and the time Congress convenes in January.

The bill (S. 3873) to amend the District of Columbia Unemployment Compensation Act, introduced by Mr. MORSE (for himself, Mr. NEELY, Mr. BEALL, Mr. MANSFIELD, and Mr. PAYNE), was received, read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BEALL. Madam President, on behalf of the Senator from Maine [Mr. PAYNE], the Senator from Montana [Mr. MANSFIELD], and the Senator from West Virginia [Mr. NEELY], I should like to say that we are very happy and are very grateful to the Senator from Oregon for permitting us to join with him in cosponsoring his bill. We think it will eliminate some of the difficulties in the conference proposal, if approved.

I may say to the Senator from Oregon, however, that though there is room for improvement in this measure, if the conference report is approved, it will be among the most liberal unemployment compensation acts in the country.

It provides maximum weekly benefits of \$30, compared with a national average of \$26.

It provides 26 weeks of benefits, compared with a national average among the States of 23 weeks.

It provides maximum benefits of \$780, compared with a national average of \$625.

In general, this proposal would put the District near the top of the country in respect to benefits and duration of benefits, and about at midpoint among the States in respect to the stringency of its disqualification provisions. Some 15

States have more stringent disqualification rules than are provided in this bill as reported from the conference.

Mr. CASE. Madam President, will the Senator from Maryland yield?

Mr. BEALL. I yield.

Mr. CASE. Madam President, as chairman of the Committee on the District of Columbia, I wish to express my appreciation to the members of the subcommittee who worked on this bill and conducted hearings, to the conferees, and to all the members of the committee who have been associated with this effort. As a matter of fact, it is a piece of legislation which was about to go "down the drain" because of the difficulties ahead of us in trying to do anything about it at all, but we were persuaded to try to get something done by a statement which was made to the committee by the Under Secretary of Labor. At the conclusion of his remarks he said to the committee:

I would like to emphasize that if the maximum amount of benefits is increased to \$30 and a uniform duration of 26 weeks is established, a big step forward will have been taken in providing an adequate system of unemployment compensation for District of Columbia workers.

The conferees were not able to maintain the complete position of the Senate, but, as the Senator from Oregon has said, they did do a good job. They have come back with a bill which does increase benefits to \$30 and provides for 26 weeks duration as a maximum, and it is a very important step forward. I trust that our labors and efforts will enable this much to be nailed down so that we can make this much progress, at least, and then we can proceed with the consideration of the bill which the Senator from Oregon and his associates have introduced.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. MORSE. Madam President, I am not going to object to the conference report in the sense of calling for a vote on it, but I wish the RECORD to show that I am not in favor of its adoption.

Mr. NEELY. Madam President, referring to the address delivered by the distinguished Senator from Oregon [Mr. MORSE] and to the remarks made by the distinguished Senator from Maryland [Mr. BEALL], I state for the RECORD that if there were a yea-and-nay vote on the conference report before the Senate I would not vote for its approval. I am a cosponsor with the Senator from Oregon of his substitute bill, but I could not support the conference report in its present form.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

#### TRANSFER OF CERTAIN PROPERTY IN KLAMATH COUNTY, OREG., TO STATE OF OREGON—CORRECTION IN ENROLLMENT OF BILL

Mr. CORDON. Madam President, I submit a concurrent resolution to correct an error in the enrollment of the bill

(H. R. 8020) authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon. I ask unanimous consent for the present consideration of the concurrent resolution.

The PRESIDING OFFICER. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 107) was read, as follows:

*Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 8020), entitled "An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon," is authorized and directed to make the following correction: In the matter added by the Senate amendment, strike out "section 203 (d) (2) (D)" and insert in lieu thereof "section 203 (k) (2) (D)."*

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CORDON. Madam President, in the printing of the amendment of the Senate to House bill 8020 an error was made in the language describing a prior act which was being amended. The purpose of the concurrent resolution is to authorize a correction of the printer's error before the bill is enrolled and is sent to the President.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 107) was agreed to.

#### MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the Speaker had affixed his signature to the enrolled bill (S. 3873) to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States, and it was signed by the Acting President pro tempore.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 17, 1954, he presented to the President of the United States the enrolled bill (S. 3873) to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States.

#### COMIC BOOKS—PRIZE-WINNING ESSAY IN CONTEST CONDUCTED BY DEPARTMENT OF MASSACHUSETTS JEWISH WAR VETERANS

Mr. HENDRICKSON. Madam President, recently I met a young man, Roger H. Allen, a resident of New Bedford, Mass., who wrote the prize-winning essay in a contest conducted by the Department of Massachusetts, Jewish War Veterans of the United States of America. This outstanding essay is entitled "Is



There Anything Wrong With Comic Books?"

I commend the young man and predict a great future for him. Because of the excellence of his work, and because it relates to a vital issue pending before a subcommittee of the Senate, I ask unanimous consent that this essay be printed in the body of the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

"Is there anything wrong with comic books?" My answer to this much debated question is definitely "Yes." Perhaps you are wondering just what is wrong with them. Well, I'll tell you. Comic books actually destroy a child's mind by lowering his mentality.

First of all, there are three groups or classifications of comic books, funnies, crime, and horror. Let me take each of these categories and show you how they corrupt the minds of youngsters.

Funnies are the least harmful of the three. They seem to offer a sort of silly humor which I suppose entertains most children. But just think of what reading too many of these books can do. They will become habit forming, and the child will find it hard to get used to reading the higher leveled literature when he gets to junior or senior high school. At high school age if a child hasn't got over the "comic book stage" he really faces a problem; not only with scholastic achievement but with society.

Crime magazines are something which we all know should be done away with. Even those that claim to be crime prevention magazines. What they claim to do is to show children ways in which criminals get caught. "Oh," you say, "Isn't that helping to prevent crime?" The real answer to that question is "No." They merely show children ways in which to avoid being caught. A child thinks that because a man in a magazine did such and such a thing he was caught; so if they avoid that they won't be caught. Thus they venture to seek a way of finding out whether or not it will work, and the only way they can find out is by resorting to crime. Surely now, you know as well as I that this is one of the basic elements in encouraging juvenile delinquency.

Horror comics are of course out of the question. They contain wicked and terrible pictures of monsters which really never existed and never will. These things cause a child to be kept awake nights with fright and nightmares. The next day the child cannot do his schoolwork. He is tired due to lack of sleep, and his brain does not function properly. Truthfully now—doesn't this cause a reduction in alertness and ability to keep up with scholastic studies?

Now you may say, "If comics are so bad, why don't parents prevent their children from reading them?" This problem is neither the fault of the parents nor the teachers nor the children themselves, but of the people who print such obnoxious literature. A child's mind is curious and easily swayed. Naturally if these magazines are on the market children will buy them to see what they are about. Therefore, they should be taken off the market completely.

So in conclusion I should like to briefly sum up my reasons for answering "Yes" to the question: "Is there anything wrong with comic books?" They are a menace to the well-being of the modern-day child because they destroy his morals and ideals with useless, uneducational trash, which never was and never will be of any value to the American schoolchild.

Thank you.

#### PROTECTION OF STRATEGIC DEFENSE FACILITIES FROM ACTS OF SABOTAGE, ETC.

The Senate resumed the consideration of the bill (S. 3428) to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion.

Mr. KNOWLAND. Madam President, after consulting with the minority leader [Mr. JOHNSON of Texas], I send to the desk a proposed unanimous-consent agreement, with the understanding that it will take effect at the conclusion of the remarks of the Senator from Nevada [Mr. MALONE]. I understand he has a speech which will take approximately half an hour.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent request.

The legislative clerk read as follows:

*Ordered*, That during the further consideration of Calendar No. 1834, S. 3428, a bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion, debate on any amendment or motion (including appeals) shall be limited to not exceeding 1 hour to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from North Dakota [Mr. LANGER] in the event he is opposed to any such amendment or motion; otherwise by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the Senator from North Dakota [Mr. LANGER] and the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Madam President, as I previously pointed out, the request is meant to take effect at the conclusion of the remarks of the Senator from Nevada [Mr. MALONE].

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. JOHNSON of Texas. Madam President, I was at the rear of the Chamber and did not hear all the majority leader said.

Mr. KNOWLAND. This is the unanimous-consent request about which I spoke to the Senator from Texas, with reference to defense facilities.

Mr. JOHNSON of Texas. I have no objection.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and the unanimous-consent request is agreed to.

#### EUROPE'S TRADE WITH RUSSIA—"COMRADE CLEM"—OPERATION RATHOLE

Mr. MALONE. Madam President, "Comrade Clem" is the title of an editorial published in the August 7, 1954, issue of the Washington Daily News.

The "Comrade Clem" referred to in the editorial is, of course, Clement Attlee, Britain's Prime Minister from

July 1945 to October 1951, and now the leader of Britain's second major party.

Attlee and a bevy of British Socialists are now on a mission to Soviet Russia and Red China.

They traveled in Russia in a Soviet plane, kowtowing to Communist officials, thus providing the red world with propaganda ammunition to use against the United States.

Accompanying "Comrade Clem" is "Comrade" Aneurin Bevan, the pro-Communist, anti-American boss of the most radical wing of Mr. Attlee's party.

Mr. Attlee and Mr. Bevan are anticipating an early return to power as heads of the British Government.

#### ATTLEE-BEVAN RED JUNKET LINKED WITH BRITISH POLITICS

They hope to succeed the aging Sir Winston Churchill, and this mission to Red Russia and Communist China is part of their big campaign buildup.

I mention these facts in connection with the excellent editorial "Comrade Clem" which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### COMRADE CLEM

Nine Socialist members of the British Parliament are en route to Moscow. They will spend 2 days before proceeding to Peiping, where they will be the guests of the Government of Red China.

It is altogether appropriate that this delegation should be headed by Clement Attlee, who was Prime Minister of Britain under the last Labor government.

Mr. Attlee's government joined with ours to repel the invasion of Korea from the north. But he lost all stomach for the fight after the intervention of Red China. Indeed, from that moment, his sympathies appeared to be on the other side.

It was Mr. Attlee who convinced President Truman that it would be dangerous to let American bombers cross the Yalu River. He also successfully opposed any counter-attacks against the Chinese mainland, where the Reds had their supply bases. Members of his party credited him with having brought about the recall of General MacArthur, an accomplishment which he did not deny.

The subsequent stalemate settlement in Korea—which left the Reds entrenched in their old positions—was an almost inevitable result of his policies.

Since that time Mr. Attlee has been a leading advocate of seating Red China in the United Nations. When he arrives in Peiping Mr. Attlee can be hailed as a friend, for few men have contributed more to the success of that outlaw regime. Moreover, he should be doubly welcome in Red China, for no man ever received more consideration from the United States or gave less in return for it. That, to the Communists, should be at least par for the course.

#### ATTLEE PARTY AND CHURCHILL REGIME BOTH FAVORED RECOGNIZING RED CHINA

Mr. MALONE. Madam President, it is not clear at the moment exactly what difference there is between the government represented before 1951 by Clement Attlee and the government represented at the moment by Mr. Churchill, because both governments favored the further recognition of Communist China. That nation has already been officially recognized. The leaders of both parties favor

further trade agreements with Communist China, Russia, and the Iron Curtain countries.

Only recently Mr. Churchill and Mr. Eden visited the United States and made a proposal that the United States enter into some kind of coexistence pact, whatever that may mean—some kind of mutual security pact or nonaggression pact with Russia. The proposal was made at that time, and is still being pursued by Mr. Churchill and Mr. Eden, because they would both sell the United States down the river, and themselves along with it, in order to keep Hong Kong and the Malayan States 1 more year.

**"COMRADE CLEM" HAD POWERFUL VOICE IN TRUMAN ADMINISTRATION**

Madam President, the editorial which has just been placed in the RECORD ably points out the powerful influence exerted by "Comrade Clem" over the Truman administration in its conduct of the Korean war.

It brings out that it was Mr. Attlee whose advice was followed when President Truman prohibited the American Air Force from bombing Red China territory and supply bases at the height of that conflict.

Further, the editorial offers the strong supposition that "Comrade Clem" had a decisive role in bringing about the recall of Gen. Douglas A. MacArthur, a recall that prevented Red China from facing an inevitable defeat.

The editorial also notes that Mr. Attlee has been and is a leading advocate of seating Red China in the United Nations.

In other words, "Comrade Clem," whose voice carried such great weight with the previous administration, has consistently given aid and comfort to our enemy. He seeks to expand that aid to Moscow and Peiping, and to date he has been very successful.

#### REDS SPREAD FEAST FOR BRITISH SOCIALISTS

The saga of "Comrade Clem" and his Socialist crew is continued in a Reuters' dispatch from Peiping, Red China's capital, published on page 1 of the August 16 issue of the New York Times.

Reuters, a British news agency, reports what it describes as a "feast" given by the Chinese Communist Premier Chou En-Lai to "Comrade Clem" and company.

The dispatch presents such interesting details as that Attlee and his fellow Britains dined on lotus roots, bamboo shoots, shark fins, and mo-tai, a colorless, fiery liqueur.

In fact throughout the Attlee junket the party has been handsomely liquored. In Moscow where he was wine and dined it was vodka with which "Comrade Clem" and his Soviet hosts exchanged 22 toasts.

#### TRADE STRONG STIMULANT TO STIMULATE TRADE

In Peiping it is mo-tai which, perhaps, is equally potent.

The pretext for this grand tour by Britain's former Prime Minister is that Comrade Clem hopes to stimulate British-Communist trade; and in stimulating trade, the guests and hosts are now trading stimulants.

Possibly in the course of his so-called trade mission Mr. Attlee will arrange for

stimulating imports of Russian vodka and mo-tai from Peiping into Scotland in exchange for machine tools and other war goods.

The Scotch are great free enterprisers, and Mr. Attlee no doubt would welcome an opportunity to help curb Scotch free enterprise.

#### REDS HIT UNITED STATES POLICY DURING ATTLEE-BEVAN VISIT

The New York Times article, headed "Chou En-lai Fetes Attlee Group—Trade Is Major Luncheon Topic," reports other interesting details of the British Socialist excursion, and is appropriately followed by a short dispatch from Hong Kong, headed "United States Policy Attacked."

I ask unanimous consent that both these dispatches be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. BENNETT in the chair). Is there objection?

There being no objection, the dispatches were ordered to be printed in the RECORD, as follows:

#### CHOU EN-LAI FETES ATTLEE GROUP—TRADE IS MAJOR LUNCHEON TOPIC

PEIPING, August 15.—Clement R. Attlee and his British Labor Party delegation were guests today at a feast given by Chou En-lai, Chinese Communist Premier.

The menu included lotus roots, soybean soup, bamboo shoots, shark fins and mo-tai, a colorless, fiery liqueur. The Chinese hosts provided western knives and forks for the guests instead of chopsticks.

Later the Britons spent 5 hours discussing East-West trade with Mr. Chou and other Government leaders in the beautiful pavilions of the former Chung Nan Hai imperial palace.

The eight-member British delegation arrived here yesterday after a visit to Moscow. They were officially welcomed at a cocktail party given by the Government.

They expect to meet Mao Tse-tung, the head of state, some time next week.

Morgan Phillips, the Labor Party secretary and spokesman for the good-will mission here, said the Britons also discussed British-Chinese relations and the new constitution that will soon be introduced by the Chinese regime.

The delegation asked specific questions about the constitution and these were "answered on the spot," he added.

Details of the delegation's itinerary, disclosed tonight, show that the Britons will spend 5 days here and then tour Manchuria for several days. They will fly back to Peiping from Mukden.

The meeting with Mr. Mao will come during the mission's 3-day pause here before it leaves for Shanghai and other Chinese cities on the way to Hong Kong and eventually home.

Tomorrow Mr. Attlee and his party will attend a Government dinner in their honor and on Wednesday an official luncheon. The Government has told the Britons and announced in the official newspaper, People's Daily, that they can see whatever they like.

This week's program includes visits to a prison, hospitals, schools, textile factories, railways, and a coal mine.

Today's People's Daily reported the mission's visit on its front page, with pictures, articles, and an editorial welcoming the mission.

It said many things had been changed in China in the last 5 years, and many things in the old China had needed changing. The country welcomed the guidance of friends, it added.

The newspaper said Chinese-British trade was an important factor in relations between the two countries.

It said this trade had a long history and that the Chinese people had laid emphasis on its development and extension, based on equality and mutual benefit.

It added that two snags were the United States' embargo policy and its naval control of Far Eastern waters, allowing Chiang Kai-shek's traitors to interfere with normal shipping.

In a day of hot sunshine and heavy humidity, capped by a tropical storm in the evening, the first seven British reporters to come to China since 1949, kept touch with the delegation in a convoy of "pedicabs," one-seat bicycle rickshaws, pedaled by colorfully dressed Chinese.

#### UNITED STATES POLICY ATTACKED

HONG KONG, August 15.—Communist China lashed out today anew against United States policy in the Far East and accused United States leaders of endangering world peace and of trying to start a new war in Asia.

The Peiping radio quoted an editorial from the People's Daily welcoming the British Laborites. The editorial referred to alleged efforts by the United States to put obstacles in the course of trade between Britain and China. It also declared that the United States was disturbing peace in the Far East by aiding Chiang Kai-shek and trying to build an "aggressive bloc." It said this policy was "detrimental to the principles of peaceful coexistence between all peoples of Asia and the world," as well as the "cause for an increasingly grave threat to the peace and security of Asia and the world."

#### ATTLEE POE OF FREE ENTERPRISE

Mr. MALONE. Mr. President, I do not believe that Attlee knows any more about trade or cares any more about trade than he does about horseshoe pitching. Mr. Attlee's real purpose in life is to destroy the free-enterprise system, an aim in which he was rather successful while he was Prime Minister of Great Britain. The United States is the citadel of the free-enterprise system, and it is not beyond the imagination of some Americans that Mr. Attlee would like to destroy the United States.

#### BRITAIN'S MAJOR INDUSTRIES SOCIALIZED UNDER ATTLEE REGIME

As Great Britain's Prime Minister from July 1945, until November 1951, Mr. Attlee was successful in nationalizing or socializing eight major British enterprises. Those enterprises, together with the dates when they were taken over by the British Government, are as follows:

The Bank of England, March 1946.  
Civil aviation, August 1946.  
Coal, January 1947.  
Telecommunications, January 1947.  
Inland transport, January 1948.  
Electricity, April 1948.  
Coal gas, May 1949.  
Iron and steel, February 1951.

Subsequent to "Comrade Clem's" Socialist regime acts were passed by Parliament desocializing iron and steel and road haulage, but the other industries and enterprises listed above remain nationalized just as similar industries are nationalized in Soviet Russia and Red China.

#### COMRADES CLEM, MALENKOV, AND CHOU EN-LAI IDEOLOGICALLY MATED

It can therefore be seen that when "Comrade Clem" and Malenkov, or



"Comrade Clem" and Chou En-lai exchange toasts in vodka or mo-tai, the colorless, fiery liqueur, their thoughts behind their words may be "Here's to the worldwide destruction of free enterprise."

Attlee, Malenkov, and Chou En-lai are, in fact, ideological blood brothers.

That the British Socialist mission to Russia and Red China has grave implications there can be no doubt.

MOSCOW "LOVE FEAST" INTERPRETED BY  
DISTINGUISHED COLUMNIST

Mr. Constantine Brown, the authoritative columnist on military and international subjects, today touches on these in his column published in the Washington Star.

I ask unanimous consent that Mr. Brown's column, headed "Odd Love Feast in Moscow," be printed in the RECORD at this point in my remarks.

There being no objection, the news column was ordered to be printed in the RECORD, as follows:

ODD LOVE FEAST IN MOSCOW—WORLD PUZZLES AT SPECTACLE OF HIGH BRITISH POLITICIANS PARTING WITH RED LEADERS DURING COLD WAR

(By Constantine Brown)

While the imposing delegation of leaders of the British Labor Party sat swapping sentimental toasts with Malenkov, Krushchev, and company in Moscow, the people of the free world wonder to what end all this camaraderie will lead.

Former Prime Minister Clement Attlee and his party of Laborites, including the stormy leftist leader Aneurin Bevan, stopped off in the Soviet capital en route to keep a date with Mao Tse-tung, Chou En-lai and the other top men of Red China. The Kremlin rolled out the red—or should we say white—carpet for the visiting Britishers.

From the warm and most cordial character of the Soviet welcome for the party, it was obvious that every effort was being made to add to the prestige of the British delegation by the most painstaking attention to detail. Moscow even reported that the great Malenkov himself personally picked a bouquet for Edith Summerskill, the only woman member of the party. This is a strange Malenkov. Indeed, this is an unlooked for Communist, indulging in such gross bourgeois flattery.

The dinners and parties were all arranged in a manner of intimacy. Little conversational groups gathered around the chief Russian bigwigs to have, we suppose, heart-to-heart talks about the state of the world and the Soviet desire for peace with co-existence.

Out of these cozy tête-à-têtes came reports of earnest agreement on the peaceful intentions of the Kremlin. Wilfrid Burke, chairman of the Labor Party, found Malenkov very friendly, he said, and very anxious to establish peaceful relations with the West.

The Muscovites broke precedent, even, to attend a dinner at the British Embassy. The Embassy must also have broken precedent: borscht was served, and no one dressed for dinner. No one said whether or not the ghosts of Kipling, Clive, Rhodes, or Victoria sent a delegation in protest, or picketed the place. But Peter the Great and Boris Godounov were certainly present in spirit. All hands drank a toast to Queen Elizabeth.

As if to underline the significance of the Moscow visit, the British Foreign Office, not at present under the wing of the Labor Party, announced that the Soviet Government has invited a delegation of British members of Parliament to visit Moscow this fall. The invitation, from the Presidium of the Supreme Soviet—the Red version of a parliament—was addressed to Lord Simonds, head of the House of Lords, and to Speaker

Morrison of the House of Commons. The invitation has been accepted.

Thus the Communist leaders, by inviting officially the visit of an all-party delegation from Britain's Parliament, rather adeptly spike the guns of those scoffers who have charged off the significance of the Attlee delegation's visit with the "oh, they're just a bunch of Socialists anyway" type of comment.

And the Kremlin propaganda strategists pat themselves on the back and award themselves a few medals for a master coup. For the world looks at the spectacle of the staid and dignified British visitors in their friendly visit to the lair of the Red chieftains, and somehow the picture of Communist aggression becomes blurred and unreal. That, of course, is the Red design, and it is a clever one.

Although technically there is nothing amiss at all in these friendly visits between nations having formal diplomatic ties, as is the case in both the Russian and Chinese journeys of the Attlee party, much could be said on the question of the British taste in choosing this particular time for the visit.

British troops, under the banner of the United Nations, have hardly stopped fighting and dying in Korea against the Chinese Red hordes. And there is no peace in Korea, even yet, beyond the mockery of the "truce" agreement entered into last year. The guns have not yet had time to cool in Indochina, where the West abjectly settled a war on Communist terms and called it a peace.

The British are past masters at the art of diplomacy, and are very much aware that the Russian intentions in all this show of cordiality are primarily to place the United States, the acknowledged leader of the free world forces, in an embarrassing position.

"Coexistence," in the British view, would appear to be a considerably different procedure from any the term implies in the United States.

While it could never be said of Americans that they spurn the hand of friendship with any nation, it has always been something of an American characteristic to expect that the hand will be sincerely proffered.

It has been the consistent stand of our policymakers that, in the case of the Soviet, actions speak louder than words—or toasts.

UNITED STATES PAYS FOR BRITISH-RED CHINA HONEYMOON

Mr. MALONE. Mr. President, Mr. Brown quite properly includes the entire British leadership and the British Foreign Office in the plot to bed down with Communist Russia and Red China while Uncle Sam pays for this bigamous honeymoon with more billions in foreign aid.

The Baltimore Sun, in its editions of Monday, August 16, banners Reuters dispatches from Moscow and Peiping on page 1 with "Red China To Send Chargé d'Affaires to London—Peiping Sees Geneva Talk as a Reason—Says Parley Brought Improvement in Sino-British Relations."

AMERICAN NEWSMEN EXCLUDED FROM BRITISH SOCIALIST JUNKET

Reuters, may I emphasize again, is a British news agency, and the British carefully excluded any representative from an American news service from accompanying the Attlee-Bevan party.

In contrast, British reporters in America, like the reporters of Tass, the Soviet news agency, are accorded the same privileges as American newsmen, which is appropriate in a free country.

Soviet Russia has long restricted news coverage by Americans, and now Britain

has followed suit, an indication of how close Britain, whom we have supported before, during and after three world wars, is to Communist methods, if not actual communism.

COMMUNISM AND SOCIALISM SEEK SAME OBJECTIVES

Mr. President, as the junior Senator from Nevada has often said, there is no difference between the objectives of socialism and those of communism; only the approach is different. The objectives of both are government ownership, with the individual owning nothing. The sole difference between them is that a Communist will shoot to gain his ends, and a Socialist will spend a country into them. The latter is about what Britain has been doing with our money, coupled with some of her own. So, Mr. President, the difference is very slight.

COMMUNISTS IMPATIENT SOCIALISTS

The objectives are the same. In other words, a Communist is only an impatient socialist.

We are compelled to rely on Reuters and its favored journalists for full accounts of the Attlee-Bevan mission in Red China.

Therefore, I ask unanimous consent that the Reuters dispatches referred to above be printed in the RECORD at this point in my remarks.

There being no objection, the news dispatches were ordered to be printed in the RECORD, as follows:

PEIPING SEES GENEVA TALK AS A REASON—SAYS PARLEY BROUGHT IMPROVEMENT IN SINO-BRITISH RELATIONS

MOSCOW, August 15.—W. S. Morrison, Speaker of the British House of Commons, and Lord Simonds, Chancellor of the House of Lords, have accepted an invitation to visit Russia next month, the Soviet Communist Party newspaper Pravda reported today.

PEIPING, August 15.—The Communist Chinese Government has decided to send a chargé d'affaires to London, the Peiping People's Daily, quoted by the Communist New China News Agency, reported today.

The paper disclosed that the decision was the outcome of "an improvement brought about in Sino-British relations at the Geneva Conference, thanks to the efforts of both China and Britain."

Britain is represented by a chargé d'affaires in Peiping, but until this time, Communist China had not reciprocated.

The People's Daily, mouthpiece of the Chinese Communist Party, added today:

"The British Government has also displayed a positive attitude to the question of improving Sino-British relations."

"MUTUAL BENEFIT"

"One of the salient principles of our foreign policy is to establish and develop diplomatic relations with all countries on the basis of the principles of equality, mutual benefit, and mutual respect of each other's territorial integrity and sovereignty. This principle is naturally applicable to the relations between China and Britain."

The British Government decided to recognize the Chinese Communist Government in January 1950 and has been represented in Peiping since by a chargé d'affaires.

In June this year, Communist China and Britain agreed that China should send a chargé d'affaires to London with the same rank and duties as the British chargé d'affaires in Peiping.

## FIRST MISSION

The Chinese diplomatic mission will be the first to represent the Chinese Communist Government in Britain since it came to power in 1949.

When Britain decided to recognize the Chinese Communist regime in January 1950, a British diplomatic mission was sent promptly to negotiate the resumption of full diplomatic relations and the exchange of ambassadors.

But the negotiations, which failed to make progress, stalled completely in June 1950. No further talks on representation took place until the recent Geneva Conference.

## EMBASSY CLOSED

During the 4-year interval, no attempt was made by the Chinese Government to exercise its right to send to London a mission of comparable status with the British mission in Peiping. During the whole of this period, the Chinese Embassy has been closed.

The People's Daily said, "Both China and Britain play a vital role in international affairs and exert a powerful influence on them."

"The development of relations between China and Britain on the basis of the principle of peaceful coexistence is naturally beneficial to collective peace in Asia and the rest of the world."

## BRITAIN'S GOVERNMENT LEADERS AND SOCIALIST CHIEFS CLOSELY LINKED

Mr. MALONE. Mr. President, the heading of the Reuter's dispatch from Moscow reads:

W. S. Morrison, speaker of the British House of Commons, and Lord Simonds, Chancellor of the House of Lords, have accepted an invitation to visit Russia next month, the Soviet Communist party newspaper Pravda reported today.

That is how close the Socialist Clement Attlee is to the Morrisons, the Churchills, and the Edens.

Mr. President, whatever the pretended purpose of the Attlee mission, Britain's Red trade aims already are on a long way toward accomplishment.

## TRADE WITH REDS SPEEDED BY GREAT BRITAIN

Early editions of the Washington Daily News Monday front-paged a dispatch from London, headed, "Trade With Reds Eased for Britons."

I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## TRADE WITH REDS EASED FOR BRITONS

LONDON, August 16.—Britain eased controls today on trade with Russia and Communist European satellite governments.

Orders totaling \$120 million already have poured into Britain and Soviet bids to buy \$28 million worth of steel rolling plants are being studied.

The relaxation of restriction on Iron Curtain trade, agreed to by the United States and other North Atlantic treaty powers after long conferences in Washington and Paris, went into effect in Britain today.

The new ruling will enable Britain to proceed immediately with orders received from Moscow earlier this year, although not all of them will be sanctioned by the Board of Trade.

In relaxing restrictions, the West has shortened its list of embargoed goods from a total of 400 items to about 250.

Strategic items still are barred from export to the Communist bloc, but the interpretation of what is strategic has been relaxed.

Stricken off the strategic list were textile machinery, some types of machine tools and certain agricultural machinery.

Western experts have cautioned against pitfalls of such Red proposals, arguing the Communist bloc does not have enough to offer in exchange because of shortages which now have affected even its agriculture.

Officials estimate that total West European trade with the Soviet and East European satellites has risen from \$738 million in 1952 to \$789 million in 1953. European imports from the Soviet bloc fell during the same period from \$990 million to \$918 million.

## RUSSIAN BID TO BUY STEEL ROLLING PLANTS FROM ENGLAND "STUDIED"

Mr. MALONE. Mr. President, the first paragraph of the dispatch, which is a United Press dispatch from London, dated August 16, 1954, reads:

Britain eased controls today on trade with Russia and Communist European satellite governments.

The timing of this announcement with Mr. Attlee's visit to Moscow and Peiping is very interesting.

I continue to read from the dispatch:

Orders totaling \$120,000,000 already have poured into Britain, and Soviet bids to buy \$28,000,000 worth of steel rolling plants are being studied.

There surely could be nothing critical about a steel-rolling plant. That could not be used to make war on the United States. At least, that is the argument the United Nations made, and the argument, of course, that our own east-west trade proponents probably will make when confronted with such a transaction.

## RED TRADE PLAN AGREED TO DURING STASSEN VISIT TO ENGLAND

Mr. President, it will be noted that Britain's action is in conformance with an agreement made last spring by Britain with United States officials and those of other North Atlantic treaty powers. In other words, the agreement preceded the Attlee mission.

It is, in fact, an aftermath of a visit Mr. Harold Stassen paid to Britain several months ago, and to which I shall have occasion to refer later in my remarks.

The junior Senator from Nevada has long considered it unfortunate that among our gifts to Britain we did not tender to them Mr. Stassen.

This could have been done preferably under some sort of a lend-lease arrangement, which would have assured us that we would not get Mr. Stassen back.

Such an arrangement could possibly save the taxpayers of this Nation more billions of dollars.

## NEW GIVEAWAY SCHEMES PLOTTED BY FOREIGN AID SPENDERS OF \$59 BILLION

These taxpayers since the war have been tapped for \$59 billion to support various global giveaway schemes, and Mr. Stassen and his handout crew are now thinking up new ways to squander new billions of taxpayers' money in new schemes to shower American wealth on foreign peoples throughout the world, and to promote more schemes of the Clement Attlee-and-party type.

The Wall Street Journal today carries a rather comprehensive report of the

goings-on in Mr. Stassen's bailiwick under the page one heading "President's Advisors Mull a Costly New Foreign-Help Program—Scheme: Plow in Dollars, Shore Up Economies in Red-Threatened Areas—Asia Would Be First Target."

I ask unanimous consent that this article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## PRESIDENT'S ADVISORS MULL A COSTLY NEW FOREIGN-HELP PROGRAM—SCHEME: PLOW IN DOLLARS, SHORE-UP ECONOMIES IN RED-THREATENED AREAS—ASIA WOULD BE FIRST TARGET

(By Ray Cromley)

WASHINGTON.—The Red triumph in Indochina, and the short-lived success of the Red regime in Guatemala, may cost you a pretty penny.

You may find yourself, through the United States Government, subsidizing more roads, dams, and reclamation projects in Guatemala, in Burma, South Vietnam, Pakistan, and in other trouble spots around the globe.

You may find yourself, through the United States Government, loaning or giving money to Japan or England or France, or Belgium, or West Germany, if they will in turn furnish world danger areas with road-building equipment, electric generators, or cement-producing machinery, or textile plants.

You may find that foreign aid, running at around \$3 billion a year now, will stay that high, or almost that high, for many years to come.

## ECONOMIC AID BILLIONS

For as a result of Guatemala and Indochina, President Eisenhower's advisors are already hard at work on grandiose plans for new billions in economic aid. They will be superimposed on our plans for rearming the free nations against the Communists. And where military spending goes down, as in Indochina as a result of the armistice, these moneys will be diverted to "economic defense."

A key part of the new Eisenhower economic aid program will be a drive to cut tariffs in the free world, and stimulate trade. The idea is to use all kinds of economic weapons—not just United States cash—in an integrated global effort to help underdeveloped areas resist Communist blandishments.

So another likely result of the current planning would be more competition from abroad for some United States businessmen, and cheaper foreign wares for United States shoppers. The State Department not only wants to stimulate trade with the United States but also to use United States tariff concessions as a lever to encourage freer trade between our allies. Thus we might agree to lower trade barriers against British or French imports to the United States if those countries would cut tariffs on Japanese textiles or on Thai or Formosan exports.

The men drafting the plans want to push more "planning" by underdeveloped countries and would send more engineer-advisor teams around the world; they would start sending more point 4 technicians and public health experts and would help start more technical schools in backward countries. But above all, the planners would try to get the countries of the free world to get together to do more planning on how to help each other so that United States aid for one would snowball into aid from the helped countries to other countries.

## CONGRESS MAY BE COOL

The idea is, says one planner, we'll tell these people, "We'll help you if you agree to help someone else."



Much of this planning, of course, will have to be O. K'd by Congress before it can be carried out. At this session, the lawmakers indicated considerable coolness toward continued heavy spending abroad. The Eisenhower forces asked \$3.4 billion for foreign aid for the current fiscal year, but Congress is likely to provide little more than \$2.8 billion despite a last-minute appeal from Ike. Congress was also cold to the Administration's "freer trade" schemes, and the President had to settle for a 1-year extension of the Reciprocal Trade Act, instead of the progressive tariff reductions he favored.

But President Eisenhower will argue next year that Indochina has proved that military aid and military alliances alone will not stop the Communists. His advisors are convinced on this point.

"Look at the several billions for arms we poured into Indochina," says one diplomat wryly.

Says another: "We could have a strong military alliance of the southeast Asiatic nations, well armed and well prepared, and they could still go Red."

Southeast Asiatic diplomats have told Secretary of State Dulles and his aides that they don't fear an out-and-out Red Chinese invasion. But they do fear subversion, infiltration, and coups d'etat. They worry about the Red underground. Our diplomats say they're right.

#### CRUX OF PROBLEM

"The problem is economic and political unrest; that gives the Reds a chance to make hay," says one Dulles aide. "Look at what happened in Guatemala; and the Reds couldn't have won in Indochina except for native dissatisfaction with their government and with their economic plight."

The planners say their program will aim at building enough economic stability to prevent people from turning to communism as a desperate hope. "But that will cost a lot," says one planner, "and a lot of the cost will have to come from the United States taxpayer."

In some ways, the planners admit, this isn't a new concept. It was the idea of the Marshall plan for Europe. It's the basic idea of the smaller point 4 plan to help people to help themselves. But the trend the past few years has been to depend more and more on military alliances and military aid to stop the Reds and to cut back on economic aid. In a way, this is an attempt to reapply the basic premise of the Marshall plan to critical spots around the globe.

The first of these big new economic plans will be for that part of Asia which hasn't yet fallen to the Communists. Planners are already at work, though they're still only at the start of their planning. "We have dozens of plans," says one diplomat, "and we've got to take all these ideas and make one workable program out of it all." "But this oriental plan will have worldwide overtones, for the planners have already decided you can't help one country or one area efficiently without tying this aid in with aid plans for many other countries."

Asia is being picked as the first target because Dulles diplomats figure it's the prime danger spot. Diplomats worry that Japan's ailing export trade will lure the Japanese Communist markets in Russia and China. There's an underground Red war going on in Malaya now. The present administration in Indonesia already has a parliamentary alliance with the local Red party and depends on Red votes to stay in power; fluctuations in the world tin and rubber markets keep Indonesia's economy unsettled. The Reds have set up in Communist China an ex-premier of Thailand as head of a Red Thai movement; there's still a Red army in Burma fighting the Burmese Government. The Reds have shown unexpected political strength in some sections of Pakistan.

Like the original Marshall plan, the new Asiatic aid program will try to get away from helping countries one by one; instead it will aim at helping each country in a way that will enable that country's production to help other countries.

An official gives this example of how the plan would work: Japan is short of iron ore; she finds it difficult to sell in Southeast Asia because these lands are often short of foreign exchange. Malaya has iron ore. If these Malayan mines were expanded, Malaya would earn more of the foreign exchange she needs and be able to buy more of what Japan and other countries sell. (And the developing of these mines would give Japan a market for mining machinery and mining equipment.)

Indonesia wants to develop a cotton textile industry to meet domestic textile needs. She can't afford to import the machinery to start it. Japan has cotton textile machinery to export; she can't find enough buyers to sell the machinery to. If some way can be found to finance this deal, then Indonesia will save foreign exchange—because she won't have to import so many textiles. Japan will have a growing market for industrial goods.

Burma could earn more foreign exchange if she developed her lumbering industry. To do that she needs better roads leading to forests in the interior. Probable best market for her specialized lumber would be the United States. So the planners see a three-way deal. Loan or grant Burma the funds she needs to build the roads. She'll probably buy her road building equipment from Japan and sell her lumber to the United States. Then Japan would take the funds she earned from selling equipment to Burma, and buy the goods she has to have from the United States.

But the basic idea of the program would be to develop in each country industries such as mining, textile-making and agriculture (through dams and irrigation projects and fertilizer plants) that would help the country to pay its own way, raise the standard of living, and provide exchange.

Because most of Asia is underdeveloped and Japan the only well-developed country in the area, Japan would be a focus of a lot of these two-way or three-way trade and development deals. But a lot of the programs would provide for increasing trade and investment between a country in Asia and some European or African or South American area.

In fact, the further the planners go in planning for Asia the less they think of it as a single trade area like Europe, and more as an area where each country will want to trade more and more with the rest of the world.

So the planners at the State Department, the Foreign Operations Administration and the Commerce Department are thinking in global terms. The plans they'll come up with, if adopted by Congress, would make foreign economic aid a big item in the Federal budget for the "duration" of the cold war.

#### MACHINE-TOOL GIVEAWAY TO BRITAIN COSTLY TO TAXPAYER AND INDUSTRY

Mr. MALONE. Mr. President, one of the schemes advanced by the State Department foreign-aid giveaway clique in recent years was to provide foreign nations with machine tools of advanced American design.

Millions of dollars in machine tools were given to Great Britain, and it is interesting to note that in British dispatches reporting steps to increase Britain's trade with Communists machine tools are prominently mentioned.

It would be interesting to learn, Mr. President, if some of the machine tools

that we gave Britain after the war are among the machine tools that Britain now proposes to send on to Soviet Russia and Red China.

They are excellent tools, Mr. President, useful in manufacturing war planes and jet engines, and no doubt would be greatly welcomed by all of our Communist enemies.

#### GIFT MACHINE TOOLS TO BRITAIN MISSING

Some of these machine tools we gave to Great Britain already have been mislaid or disappeared. In any event, the investigations division of the Senate Appropriations Committee has been unable to trace them since their arrival in Great Britain, and in this regard have had no help from Mr. Stassen's agency.

Mr. President, I ask unanimous consent that the portion of the investigations division's report titled "The Machine Tool Grant" be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

#### THE MACHINE-TOOL GRANT

Included in the United States grant-aid to the British aircraft industry was the gift of a large quantity of expensive and specialized American machine tools that were in short supply in the United States and not available to American industry without priority ratings.

These tools were authorized at the end of a fiscal year without adequate screening; some proved to be unnecessary, others were not well adapted to their proposed use and a number are still in reserve. MSA and FOA have failed to make full end use checks and the United States does not participate in the revenue derived from the rental of the tools by the British Ministry of Supply.

Although this transaction was initiated and the funds committed by ECA more than 3 years ago, the details are still so highly classified by the Foreign Operations Administration, the successor of ECA and MSA, that, unfortunately, they cannot be fully discussed herein. At the request of the Division of Investigation, the General Accounting Office made a study of the machine-tool grant in April 1954 and prepared a report for the Senate Committee on Appropriations. FOA was asked to release the report for general publication. This request was refused. However, a summary of the available data may disclose a clue to the motives for a continuation of the highly restricted classifications.

In 1951 the United States agreed to supply the British Government through grant aid with several thousand machine tools to further defense production in the United Kingdom at a total cost of \$126 million. The funds were duly committed and deliveries were made over a long-lead-time period, the last tools according to our information having been delivered in March 1954. These tools were consigned to the British Ministry of Supply which in turn distributed them to various manufacturers engaged in defense production under terms and conditions which FOA does not permit us to describe but which have considerable interest to the Congress and the American taxpayer. There is no indication that the British Ministry of Supply is in any way responsible for this restriction on vital information.

Curiously enough, while it is not permitted to mention the total number of machine tools procured and delivered to the British Ministry of Supply, there is no restriction upon stating that 3,838 of these tools were allocated by the Ministry of Sup-

ply to the British aircraft industry. This distribution was as follows:

For engines.....	2,426
For airframes.....	400
For components.....	1,012
<b>Total.....</b>	<b>3,838</b>

These tools are estimated to have had an average value of something slightly in excess of \$20,000 each, making the total cost for the tools allocated to the aircraft industry approximately \$76 million.

The machine tools allocated to the aircraft industry are dispersed among the following users:

#### Engines:

Armstrong Siddeley Motors.....	437
Rolls Royce.....	484
Napier (English Electric).....	442
Standard Motor Co.....	323
DeHavilland Engine Co. (includes 4 factories, and subcontractors: Jos. Sankey, Ltd.; Wayburn Engine Co.; S. E. Opperman; B. S. A. Ltd.).....	395
Bristol Airplane Co. (includes subcontractors: Wellworthy Piston Ring Co., Ltd.; Balfour Marine Engine Co.; R. T. Shelley & Co., Ltd.; Enfield Tool Mfg. Co.; Engineering Productions, Ltd.; Singer Motors, Ltd.; Bros. Ltd.).....	317
Miscellaneous users.....	28
<b>Total.....</b>	<b>3,426</b>

#### Airframes:

Hawker Aircraft Co. (2 factories) ---	118
Armstrong Whitworth <sup>1</sup> .....	35
Vickers Armstrong (includes subcontractors: Sauters-Rowe; All Tools, Ltd.).....	56
DeHavilland Aircraft Co. <sup>1</sup> .....	58
Gloster Aircraft Co. <sup>1</sup> .....	51
English Electric <sup>1</sup> .....	41
Miscellaneous users.....	41
<b>Total.....</b>	<b>400</b>

#### Components:

Blade Research and Development (blades) <sup>1</sup> .....	111
Rotax (starters).....	84
Rotol (gear box and undercarriage).....	89
British Thompson Houston (turbo starters) <sup>1</sup> .....	103
Dowty Equipment Co. (undercarriages).....	60
Geo. Godfrey & Partners (cold-air vents).....	58
Dunlop Rim & Wheel Co. <sup>1</sup> .....	18
E. M. I. Development Co. <sup>1</sup> .....	12
Farranti, Ltd. <sup>1</sup> .....	37
Folland Aircraft Co. <sup>1</sup> .....	11
J. Garrington & Sons <sup>1</sup> .....	19
Lockheed Hydraulic Brake Co. <sup>1</sup> .....	21
H. Lucas, Ltd.....	51
Royal Aeronautical Establishment, Farnborough <sup>1</sup> .....	17
Miscellaneous users.....	321
<b>Total.....</b>	<b>1,012</b>

<sup>1</sup>Inspections by FOA—U. K. have never been made of these companies. It is not known whether subcontracting companies are involved with them, because inspections were the only means used to gain information of subcontractors involved.

It is hoped by FOA that an agreement will be reached under which the British Ministry of Supply will submit to the United States a detailed inventory by location of the machine tools. When and if this inventory is submitted, a clear picture of the status of the machine tools will be available. It is of interest to note that several of the above

companies are also engaged in the manufacture of civil, Government-subsidized aircraft. It has not been possible to determine from available records that United States financed machine tools are used solely for the manufacture of military aircraft. On the contrary, representatives of the Senate Committee on Appropriations have seen at least one large American tool engaged in the production of door and window frames for one of the new British jet transports.

Most of the aircraft companies above mentioned are engaged in the production of both civilian and military aircraft, engines or components. It is apparent that the American tools are not set aside and reserved for purely military production. It would be unreasonable to assume, or insist upon, any such restrictive arrangement in plants that do not have a single assembly line and are concerned with simultaneous production of both military and civilian end items.

#### LACK OF SCREENING

At the time the machine tool grant was approved and the funds committed, no satisfactory screening as to possible end use and utilization was made by ECA. An adequate screening check would have made it difficult to obligate these funds before the close of the fiscal year. Actually over 90 percent of the money committed for the procurement of the machine tools was obligated on May 31, 1951, 1 month prior to the close of the fiscal year.

The details of what happened to all the tools is also highly restricted, thus preventing a public evaluation of the manner in which this program was conceived, negotiated, and administered by ECA, MSA, and FOA. However, it may be stated that: (1) when the tools were delivered in the United Kingdom, it was found that there was a surplus, (2) some tools were not well adapted to the proposed use, (3) in at least one case tools valued at several million dollars could not be used because the plant for which they were intended had not been completed, (4) as of recent date a substantial number of the tools are in reserve and are not needed for defense purposes, (5) MSA and FOA have not made full end use checks of the tools in operation, (6) the United States does not share in any revenue that may be received by the Ministry of Supply from manufacturers for the use of the machine tools allocated to them, (7) notwithstanding indications of improper and nonutilization of the machine tools, no concerted corrective action was taken by FOA until the middle of 1953, (8) as of May 1, 1954, no final agreement with the British regarding the use and disposition of the machine tools had been executed, (9) the agreement which has apparently been approved by both sides and is awaiting execution is open to question from the standpoint of protecting the best interests of the American taxpayer, (10) at the time this transaction was originated, it was regarded largely as a device for putting dollars into the British economy by picking up the checks for something the British had already ordered, and (11) since the operation was treated essentially as a form of balance of payment assistance, only a limited amount of time or attention was given by MSA and FOA to the allocation, use, and disposition of the tools once they had entered into the British economy.

#### OPERATION RATHOLE

Mr. MALONE. Mr. President, the above excerpt from the Appropriations Committee investigation division's report is but one example of what the Omaha World-Herald in a recent editorial referred to as Operation Rathole.

I ask unanimous consent that the editorial from the Omaha World-Herald, of

August 2, 1954, be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### ONLY SEVEN VOTED YES

Last Friday Republican Senator MALONE, of Nevada, moved to kill the foreign-aid program entirely.

He said, let's take the money that has accumulated in that fund and spend it on the American Air Force. He said, let's use it to buy a couple of thousand heavy jet bombers for General LeMay, and maybe 3,000 jet interceptors for the defense of America.

Can any rational American doubt that the money, if so invested, would buy vastly more national defense than if dribbled away in some 60-odd foreign lands?

The truth would seem to be self-evident. Yet, when the roll was called, how many Senators of the United States voted with Senator MALONE?

Just six.

BRICKER, of Ohio; JENNER, of Indiana; LANGER and YOUNG, of North Dakota; McCARTHY, of Wisconsin; and WELKER, of Idaho. That's all. The others present voted no.

Oh, sure, the defenders of the aid program offered gilt-edged reasons. They said a great deal of the money now on hand has been committed. They said many billions of dollars worth of weapons ordered for other countries under the military-aid program are now being made, and will have to be paid for.

To many well-meaning Senators, no doubt those arguments were most persuasive.

But haven't you, dear reader, heard them all before?

Whenever any move is made to curb or end foreign aid, apologists for the great giveaway say, oh, no; we can't do it; we are committed; we have made pledges; we must keep our sacred promises to our dear allies.

The upshot is that the American people, who are all but unanimously opposed to foreign aid, are saddled with it year after year after year.

And there is no relief in sight.

Time and again the Senators and Representatives who say they are opposed to foreign aid (most of whom are probably sincere in that stand) allow themselves to be outmaneuvered, outthought, and outfought by the international spenders.

In the past 8 years this foreign-aid nonsense has cost the American people about \$60 billion.

And only seven Senators of the United States voted to put a stop to it.

Why is it so difficult for the people of free, democratic America to get what they want from their own Congress?

Senator MALONE has an answer to that one. He says the wishes of the people have been frustrated by a coalition of "the internationally minded press, the pseudo-liberal writers and commentators, the pinkos and near-Reds, and those large concerns here in America which are harvesting the profits of the prodigality and senselessness of these programs."

That just about calls the roll. Among them all, those forces generally manage to control the national conventions of both parties, and their contributions are a potent factor in the campaigns in which Senators and Representatives are chosen—even here in the Midwest.

Will there then be no end to this Operation Rathole?

Not, we surmise, until the American people wrathfully make their convictions known at the polling place. So long as they elect officials who talk against foreign aid at campaign time but vote for it later, the wealth of the United States—and the national security—will continue to go down the drain.



DOLES TO 60 FOREIGN NATIONS PREFERRED TO  
STRENGTHENED AIR FORCE

Mr. MALONE. Mr. President, I wish to read a few excerpts from the editorial, as follows:

Can any rational American doubt that the money—

That is to say, the \$13 billion, which was voted by the Senate as recently as last Saturday evening, to be expended in those countries—

if so invested—

Meaning invested in American air-power—

would buy vastly more national defense than if dribbled away in some sixty-odd foreign lands?

Mr. President, the editorial is apropos the amendment offered by me to the foreign operations administration bill, proposing that the \$13 billion be transferred to the Air Force, to build up-to-date defense planes.

I read further from the editorial:

Oh, sure, the defenders of the aid program offered gilt-edged reasons. They said a great deal of the money now on hand has been committed. They said many billions of dollars' worth of weapons ordered for other countries under the military-aid program are now being made, and will have to be paid for.

Mr. President, who commits the money of the United States of America, before it is appropriated? It seems to be about time that the administrative officials of the Government be taught a lesson, and that the United States Congress regain its prerogative of appropriating the taxpayers' money and of knowing where the money goes.

Mr. President, stories have been told about commitments made by the Foreign Operations Administration and about contracts let—for all of which we must pay. However, everyone of those contracts contains a cancellation clause, and every one of the contracts could be cancelled at much less than its total cost.

Furthermore, there is grave suspicion that approximately 75 percent of the materials to be manufactured and sent to Europe and placed in warehouses will be obsolete when they "hit the ground."

GREAT BRITAIN BIGGEST BENEFICIARY IN  
OPERATION RATHOLE

Mr. President, Operation Rathole, as it is described in the editorial to which I have just referred, to date has cost the taxpayers of the Nation fifty-nine thousand million dollars.

Great Britain has been the greatest recipient of this gift money, much of it advanced to her during Mr. Attlee's regime to help him socialize British industry.

Mr. Attlee also may well be the future Prime Minister of Great Britain, utilizing and expending American aid either in the interest of Britain or the interest of the favorite allies of British Socialists, Soviet Russia, and Red China.

Great Britain, as we all know, has a habit of rotating Prime Ministers, and Sir Winston in recent years has aged rapidly.

## ATLEE PROMOTED FIRST POSTWAR AID TO BRITAIN

Mr. Attlee, we remember, did succeed Mr. Churchill at the conclusion of World

War II. Then, in October 1951, Mr. Churchill succeeded Mr. Attlee. In due course it may be "Comrade Clem's" turn again, with more millions of United States dollars to play the big brother act to Communist Russia and Red China. This would certainly set no precedent.

It was during Mr. Attlee's regime as Britain's Prime Minister that the initial billions for foreign aid were granted to England by the United States. Part of this aid money was used to finance the British aircraft industry, as I have previously stated. The British aircraft industry, bolstered by American aid, then built a very efficient jet engine, which it sold to Soviet Russia. The junior Senator from Nevada disclosed this to the Senate at the time, but the sale by Britain to Russia of jet engines was not checked. Mr. Attlee, or "Comrade Clem," as the News calls him, was Prime Minister of Great Britain during this period, and Mr. Attlee's friends were in the White House and the State Department.

BRITISH JET-ENGINE SALES TO RUSSIA IN 1948  
EXPOSED IN SENATE

As a matter of fact, Mr. President, on this floor in 1948, when we were debating the Marshall plan, the successor to UNRRA, I said that Great Britain had shipped jet engines to Russia. That was denied; it was denied by the then Secretary of the Army. But within a few months from that date everyone knew England had shipped jet engines to Russia. Of course, it is necessary to ship only one engine of each type to the Russians or the Japanese or to any other group, in order for that group to make all of such engines they may need.

Communist jet warplanes—MiG-15's—manned by enemy pilots and equipped with these British-type jets, were employed by Red China in the Korean war, and succeeded in shooting down some of our American boys.

The junior Senator from Nevada does not know whether Mr. Attlee and his Socialist comrades on their mission to Moscow and Peiping will be awarded for this contribution to Communist air-power. He does not know whether in the course of their arrangements for increased trade they will arrange to supply Russia or China with more jet engines or other war goods.

REDS GAIN VITAL UNITED STATES SECRETS  
THROUGH TRADE AND TRAITORS

Of course, Mr. President, we have a habit of imparting to our potential enemies our secrets regarding the atom bomb, atomic energy, jet engines, and airplanes. We have two ways of doing that. One is by means of desertions from our ranks or traitors in our ranks; the other is by giving the equipment to European nations who are trading with and have traded with Russia and her satellites, and have done so without stint ever since World War II.

What the junior Senator from Nevada does know is that "Comrade Clem's" sympathies are with the Reds, and against the interests of the United States.

For this reason, Mr. President, the Congress of the United States assumes great risks in conferring further aid on Great Britain at this time.

FOREIGN AID RISKS EXPOSED IN SENATE STAFF  
REPORT

Mr. President, the investigations division of the Senate Appropriations Committee in its report came to some very pertinent conclusions about this aid given by the United States Government to the socialized British aircraft industry.

It likewise made some interesting recommendations.

I ask unanimous consent that that portion of the report subtitled "Conclusions and Recommendations" be printed in the RECORD at this point in my remarks.

There being no objection, the portion of the report was ordered to be printed in the RECORD, as follows:

## CONCLUSIONS AND RECOMMENDATIONS

I. Foreign aid is being used to build up and fortify the productive facilities of other countries to the detriment of United States strategic industries. Specifically, United States taxpayers' money is being used to support, directly or indirectly, the British aircraft industry which is heavily subsidized by the British Government.

The preeminence which the United States has enjoyed in international civil aviation is based upon the initiative and competition generated by the free enterprise system. This position of preeminence and the stability of the aviation industry are of paramount importance to this country. They should not be imperiled by contributing to the support of the British aircraft industry.

II. The United States aircraft industry is made up of three component parts, all interdependent upon each other:

1. The engine makers.
2. The airframe builders.
3. The domestic and international airlines.

A program which endangers any one of these elements threatens the well-being of the entire integrated industry. The fact should not be overlooked that thousands of small component manufacturers have a vital interest in the continued stability, prosperity, and expansion of the United States aircraft industry operating within the framework of the free enterprise system.

III. If the United States desires to maintain close relations of mutual esteem and respect with valued allies, we should recognize the imperative need for frank, realistic, and hard trading in the extension of our foreign aid. Any concept that the United States can only exercise world leadership and hold allies by providing money on terms laid down by the recipient nation is unsound and contrary to the best interests of the United States.

IV. The effect of the grants-in-aid to the Royal Air Force was to release British budgetary funds for the continued subsidization of the commercial jet development program.

V. A great nation capable of embarking upon a long-range and costly program largely financed by government to obtain mastery of the air in commercial transportation should be able to produce without foreign aid the military aircraft necessary for its national defense and the fulfillment of its obligations to the North Atlantic Treaty Organization. This is especially true since large quantities of dollar foreign exchange are not essential to the production of British aircraft.

VI. The administrative judgment exercised by ECA, MSA, and FOA is open to serious question in connection with:

1. The obligation of funds at the end of the fiscal year for the procurement of several thousand expensive machine tools without proper screening or end-use checks.
2. A failure to keep track of the distribution, use, and ultimate disposition of the tools for a long period of time after they were delivered to the Ministry of Supply.

3. A failure to inspect the tools at the British factories to which they were allocated.

4. A failure to negotiate any agreement with the British Ministry of Supply regulating the use and distribution of the tools for a matter of nearly 3 years.

5. A commitment to finance the procurement of British military aircraft that have not been evaluated or approved by the United States Air Force and some of which will be obsolescent when delivered.

6. A commitment to finance substantial quantities of a British military aircraft that will have only 12 to 18 months front-line service after delivery before it is scheduled for retirement from the front lines.

7. A commitment to enter into offshore procurement contracts for two British military aircraft with the British Ministry of Supply instead of the manufacturers, thus making it impossible to control costs and to impose other essential conditions of production normally required in defense procurement contracts.

VII. The programing, procurement, and financing of all aircraft required by the mutual security program should be decided and managed by the United States Air Force. The appropriations, if any, for foreign aircraft financing should be included in the funds allocated to military aid and should not be divided between the Department of Defense and Foreign Operations Administration. The present procedure which permits the Foreign Operations Administration to get into the business of programing and financing British aircraft, independently of the United States Air Force lends itself to the distortion of military aid by civilian policymakers in an effort to attain political and economic objectives through the use of defense support or direct forces support funds.

VIII. The British fighters being financed with United States grant aid as part of the Royal Air Force modernization program are still in the experimental stage and are not yet in full production. None can fly at supersonic or transonic speeds in level flight according to United States Air Force standards.

IX. The executive agreement reached at Paris in April 1953 regarding future support for the modernization plan of the Royal Air Force should have been fully disclosed to the Congress when the first appropriations were requested. The formula adopted for seeking the necessary funds was misleading and the manner in which the formula was later carried out was contrary to the intent of Congress to limit the amount of economic aid to the United Kingdom. It has led to confusion, undesirable division of administrative responsibility and decisions, the wisdom of which are open to serious question.

X. It is assumed that when the British Government spokesmen advocate "trade not aid" they mean the interplay of free competitive forces and not a method of obtaining a privileged position through the use of Government subsidies indirectly financed by the United States taxpayers.

XI. If high policy decrees that United States grant aid should be continued in support of the British military air budget, it would be desirable to explore with the appropriate technicians and policymakers the possibilities of supplying the British Government with the airframes of our latest types of fighters in which British-made engines could be readily installed. This formula, if feasible, would appear to be preferable to the present program for the following reasons: (1) The combination of United States airframes and British engines should result in truly supersonic fighters far superior to the Javelin, Hawker, Hunter, and Swift. (2) United States grant aid would not be used to build up production lines in the United Kingdom to turn out planes that are not

comparable to the suggested United States-British combination versions. (3) United States taxpayers' money would be used to strengthen our own aircraft industry and make jobs for American workers instead of contributing to the British program for civil jet expansion.

#### FURTHER AID FUNDS TO BRITAIN SHOULD AWAIT ATTLEE-BEVAN REPORT

Mr. MALONE. Mr. President, in view of the above recommendations, the junior Senator from Nevada would consider it a better part of wisdom if foreign-aid disbursements to Great Britain were deferred until at least Mr. Attlee and Mr. Bevan return to England and report on their conferences with the leaders of Communist Russia and Red China.

The junior Senator from Nevada considers this a very constructive proposal and he earnestly hopes that Mr. Stassen will give it his earnest consideration when he gets these new billions of taxpayers' dollars in his eager hands.

He could tie up a reasonable portion in a neat bundle for Britain and store the bundle in some safe place temporarily, or until such time as we know what Britain proposes to do with it, or with the aircraft, jet engines, munitions, and other war goods that it will enable British industry to produce.

If Britain proposes to use it to provide for its own or for Western Europe's defense, then, under the terms of the act, the money would be turned over to it.

#### BEWARE OF BLANK CHECKS TO BRITAIN

But a blank check to Britain at this time could wind up endorsed by Molotov or Chou En-Lai, Red China's Foreign Minister.

Mr. President, let me say at this point it is not certain but that much of this money, in goods and in manufactured materials, may wind up in Red China and Communist Russia even under Mr. Churchill and Mr. Eden.

The contention may be made that Mr. Attlee and Mr. Bevan do not, at this moment at least, represent the British Government.

Technically, that is true. They hold no official posts, although the Attlee-Bevan party does include several members of the British Parliament.

But the British Government operates a bit differently than we do in America.

#### ATTLEE SHARED IN WORLD WAR II ROOSEVELT-CHURCHILL SECRETS

Mr. Attlee was very active in the Churchill Cabinet during World War II. He was Lord Privy Seal and served as Deputy Prime Minister during Winston Churchill's trips to the United States and other areas of the world to consult with President Roosevelt or with Stalin.

He shared Churchill's confidences and in Churchillian-Roosevelt secrets that the American public were not permitted to share in. And, of course, as I stated before, Mr. Attlee was advanced to Britain's No. 1 man about the time that Mr. Truman took office.

Tomorrow he may be back in power again with Comrade Bevan as his Foreign Secretary.

Such a thin line divides the Government in Britain today that there is little difference in policy, regardless of which

group is in power. No attempt has ever been made by either to reverse the recognition of Red China.

Mr. President, the editorial, previously referred to, which was published in the Washington Daily News, dealt only with "Comrade Clem's" operations in connection with the Korean war, and with the errors and mistakes made by the previous United States administration in following his counsels.

Other errors and mistakes prior to the Korean war were made by the previous administration while Mr. Attlee represented Great Britain as its Prime Minister.

The British loan was inspired during "Comrade Clem's" ministry over Britain during which he exerted his baneful influence over the then President of the United States and Secretary of State.

Foreign aid was born under Attlee.

GATT, the giant international trade giveaway was born under Attlee.

#### UNITED STATES OFFICIALS AIDED ATTLEE IN POSTWAR SCHEMES

Socialized trade and socialized aid all were inaugurated in Britain while "Comrade Clem" was its Prime Minister. And he had willing aids in our own Government.

It was not many months after Mr. Attlee's rise to power that the administration came up with its proposals for expansion of world trade and employment.

The United States Treasury Department was represented in this by Harry Dexter White and V. Frank Coe, and the proposals were sent to 14 countries including Soviet Russia, Czechoslovakia, and the United Kingdom.

#### HARRY DEXTER WHITE'S ROLE IN \$3,750,000,000 LOAN TO BRITAIN

Then came the so-called Anglo-American financial and commercial agreements with the Attlee government and our own Treasury and State Departments handling the negotiations.

That is the agreement, we all remember, that resulted in the \$3,750,000,000 loan to Mr. Attlee's government, the lend-lease settlement so favorable to Britain, and the agreement to shift from bilateral to multilateral trade agreements through what is now known as GATT, the general agreement on tariffs and trade, which is so little understood in this country that it is scary even to think about it.

Here we find Harry Dexter White and V. Frank Coe again representing the United States in harmony with Mr. Attlee, and their names appear again high on the list of those who prepared the charter for the International Trade Organization, or ITO, along with that of another individual whose name may be familiar to congressional investigators—Victor Perlo.

Mr. President, the junior Senator from Nevada recalls that as long ago as April 1947, I discussed on the floor of the Senate the activities of Mr. Harry Dexter White in connection with the \$3,750,000,000 British loan which we were then debating. That was in 1947, 8 years ago.



## HOW WHITE RELAYED BRITAIN'S UNKEPT PLEDGES

I quoted Mr. White as testifying before the Committee on Banking and Currency. Mr. White had told the committee:

She—

## Meaning Britain—

is willing to commit herself to our program of fair currency and trade practices in order to encourage an expansion of world trade.

Think of that—a sovereign nation willing to commit herself to fair currency and trade practices if she is paid for it.

Of course Britain, then under the ministry of "Comrade Clem" never lived up to these assurances by Mr. White.

No steps have been taken even at this late date to inaugurate a system of fair currency, and Britain's Chancellor of the Exchequer Mr. R. A. Butler warned less than a month ago that Britain has no intention of backing a fair currency unless the United States pledges "freer trade and massive dollar backing."

## BRITAIN'S ULTIMATUM TO UNITED STATES ON FAIR CURRENCY

Mr. President, I ask unanimous consent that Mr. Butler's ultimatum, as published in the New York Journal of Commerce on July 19, 1954, be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## CONVERTIBILITY LINK STRESSED—SEEK UNITED STATES GUARANTY OF FREER TRADE, DOLLAR SUPPORT

LONDON, July 18.—Non-Communist Europe served notice over the weekend it intends seeking new American guaranties of freer trade and massive dollar backing before making its currencies convertible.

Britain's Chancellor of the Exchequer R. A. Butler told reporters on behalf of a conference of 12 European nations:

1. Pace of Europe's haul toward convertibility "must depend upon action taken within the dollar area" to widen world trade. That, in practice, means the United States will be urged to cut tariffs, liberalize customs regulations and generally buy more from Europe.

2. The International Monetary Fund with lending powers of \$3.2 billion, must be a "principal source of credit" for its European members after convertibility. The United States is about the biggest single investor in IMF.

Mr. Butler did not say so but other informants reported the European nations discussed the possibility of approaching the American Federal Reserve System for stand-by backing in any currency emergency that might come in the wake of convertibility.

Mr. Butler had presided over a 2-day parley of finance ministers that ended Friday.

They came here, under auspices of the Organization for European Economic Co-operation, to plan one of the biggest financial gambles since the war. All agreed they would be taking a giant step toward free trade by making their pounds, francs, lire, marks, kroner, and other moneys convertible.

A strong American delegation under Foreign Operations Administrator Harold E. Stassen took part in an observer role. Canada, Portugal, Elre, Turkey, and Austria also sent observers.

The ministers did not issue a communique but Mr. Butler spoke for them all as chairman.

He said of the American observers that they were "of the greatest possible help" and he added: "I have no doubt they would wish to see American policies develop in as liberal a method as possible following upon the report of the Randall Commission. But there is a great more to be done . . . before we can be satisfied."

## HAS ASSIGNED DEPUTIES

Mr. Butler said deputies have been assigned to:

1. Formulate a new world trade code embodying the idea of ever-widening the free flow of goods.

2. Study ways of setting up a new multi-million-dollar European credit fund on which all will be able to draw in times of trouble—whether they free their currencies or not.

Britain already has lined about all the Commonwealth and empire countries behind her in the march to convertibility.

That is important. They make up the sterling area. About half of the world's trade is transacted with sterling.

Mr. Butler said the next stage will come when European and Commonwealth finance ministers meet in Washington for the annual IMF parley in September. It seems clear the Commonwealth and European nations then will begin to discuss concrete proposals with American leaders on all the issues involved.

British officials said they believe a new world trade and finance parley will emerge from these discussions.

## BRITAIN LONG ON PLEDGES—SHORT ON PERFORMANCE

Mr. MALONE. Mr. President, Mr. Harry Dexter White, back in 1947, gave assurances of British action in the event that we advanced Mr. Attlee's government \$3,750,000,000 American tax dollars. That was not all the British pledged, Mr. President. They pledged that that would be the end of it. That was to be the last. This followed lend-lease, UNRRA, and many other subterfuges.

Mr. White stated that in return for this huge loan Britain would "be willing to assume the risk of selling her products in fair competition with the exporters of other countries."

Imagine, Mr. President, that for a little less than \$4 billion a nation would be willing to assume the risk of selling her products in fair competition with the exporters of our own Nation.

Of course, she never has done that and never will.

## COULD WHITE HAVE BEEN AGENT FOR BOTH REDS AND BRITAIN'S SOCIALISTS?

It would be interesting to learn, Mr. President, if Mr. Harry Dexter White, whom we now know to have been an agent for the Soviet Government, also had authority from Britain's Socialist government to act as its agent in promoting the fantastic and unnecessary \$3,750,000,000 British loan.

Britain's Prime Minister at that time, as I stated before, was Mr. Clement Attlee, the same Attlee who is currently leading a Socialist delegation in Red China with a view to warming up still closer to the Communists.

Mr. President, the current mission of Attlee and Bevan to Moscow and Peiping should come as no surprise. The New York Times on May 26, 1954, published a special dispatch from London headed "Attlee and Bevan To Visit Red

China." I ask unanimous consent that this dispatch be printed in the RECORD at this point in my remarks.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

## ATTLEE AND BEVAN TO VISIT RED CHINA—LABORITE LEADER AND KEY FOE WILL HEAD PARTY DELEGATION—FAVOR CLOSER RELATIONS

LONDON, May 26.—Former Prime Minister Clement R. Attlee and Aneurin Bevan, his principal foe in the Labor Party, will lead a Laborite delegation to Communist China this summer.

The national executive committee of the Labor Party, at a meeting here today, decided to accept an invitation from the Chinese People's Institute of Foreign Affairs to visit China in August and September. It will be the first Laborite visit to China since the Communist regime was established. In 1946 the party sent an official delegation to the Soviet Union.

Officially the party has supported a British-United States agreement to examine the possibility of collective defense in southeast Asia to check aggression by Communist China or its satellites. But both Mr. Attlee and Mr. Bevan are strong supporters of a policy of establishing closer ties with the Communist regime.

Other members of the delegation will include Wilfrid Burke and Dr. Edith Summerskill, members of Parliament, and Morgan Phillips, general secretary of the party. There also will be three trade-union representatives.

The first move for a visit to China was made at the party conference at Margate last September. The agenda included a composite resolution urging that goodwill missions be sent to the Soviet Union and China as a step toward more friendly relations between East and West.

## MOSCOW URGES BRITAIN TO SCUTTLE NATO

Mr. MALONE. Mr. President, by a remarkable bit of timing Moscow, on the very same day as the Attlee-Bevan announcement, came out with proposals to Britain that it scuttle the North Atlantic Treaty and enter into trade ties with the Soviet Union.

The New York Times likewise reported this in a dispatch from Moscow headed, "Soviet Overtures to Britain Pushed."

I ask unanimous consent that this article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## SOVIET OVERTURES TO BRITAIN PUSHED—MOSCOW BIDS LONDON BREAK WITH NATO AND ABANDON UNITED STATES TRADE RESTRICTIONS (By Harrison E. Salisbury)

Moscow, May 26.—Moscow proposed today that Britain break with her policy of support for the North Atlantic Treaty, abandon United States-inspired trade restrictions and join the Soviet Union in a common effort for peace, security, and profitable business contracts.

The Soviet bid was made in connection with the anniversary of the Anglo-Soviet alliance signed 12 years ago today in London by Anthony Eden, Foreign Secretary, and Vyacheslav M. Molotov, Soviet Foreign Minister.

The government newspaper Izvestia, noting the long-term nature of the 20-year alliance, took the occasion to emphasize that under one of its provisions the treaty might be renewed.

The fact that the government newspaper took particular notice of the proviso of the

treaty whereby it might be extended attracted particular interest since Britain has on several occasions suggested to Moscow that she might find it desirable to extend the treaty to a 50-year term.

#### TRADE LINK DISCUSSED

One of the strongest features of the commentary in Pravda, the Communist organ, was its open bid to Britain to throw off her restrictions originating with the United States Battle Act and enter into broader trade relations with the Soviet Union. The Battle Act is designed to halt shipment of strategic materials to the Soviet bloc by denying United States aid to nations that engage in such commerce.

The Soviet statement suggested that Britain could be certain of large contracts and a big increase in business if she was willing to disregard the Battle Act provisions. At the same time the Soviet entered into a general argument directed against Britain's association with the North Atlantic Treaty Organization in its present form and against British association with the European Defense Community.

The Soviet proposed as an alternative that Britain and the Soviet, on the basis of the existing alliance, enter into joint search for security measures for Europe on the basis of the Soviet proposals made at Berlin.

Pravda declared that collaboration of Britain and the Soviet Union had special significance at this time and strongly argued that the present direction of North Atlantic Treaty arrangements was not in British interests and in fact had produced a threat to British sovereignty.

#### LAWRENCE COMMENTS ON ATTLEE'S JOURNEY TO RED CHINA

Mr. MALONE. Mr. President, on June 7, shortly after the Attlee-Bevan announcement and the Moscow proposals, David Lawrence wrote a very fine column discussing the impending Attlee-Bevan mission, which, as I have stated, is now taking place. The Washington Star was among newspapers of the Nation publishing Mr. Lawrence's column and I ask unanimous consent that Mr. Lawrence's comment, headed "Attlee's Journey to Red China," be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**ATTLEE'S JOURNEY TO RED CHINA—BLUNT ANNOUNCEMENT MADE OF TRIP BY LABOR PARTY LEADERS; BRITISH DON'T REALIZE HOW DEEPLY AMERICANS WILL RESENT IT**

(By David Lawrence)

LONDON, June 7.—How readily the relations between Great Britain and the United States can be subjected to acute irritation when all the facts are not put in perspective is well illustrated by the blunt announcement that eight members of the British Labor Party in Parliament, headed by former Prime Minister Attlee, have decided to go for a visit to Red China this summer.

If some of the minority leaders in Congress had suddenly decided during the summer of 1940, after Britain had been bombed, to go on a visit to Adolf Hitler, it can easily be imagined what the reaction inside Great Britain would have been. Furthermore, if today some of the Democratic Party leaders had decided to visit the Kremlin without having consulted the United States Department of State in advance and if the announcement had said that the purpose was to discuss public policies with the Moscow government, the British press would properly have hailed it as an unwarranted interference with the prerogatives of the American Chief Executive. There would be even more criticism than there was a few months

ago when Senator McCarthy undertook to persuade Greek shipowners to carry out the spirit of the American embargo on trade with Red China.

But while the announcement of Mr. Attlee's proposed visit has been adversely commented upon in some of the British newspapers, and while the Foreign Office has denied that it was consulted or that it approved of the mission, the fact remains that the British people as a whole are not at all exercised about the episode and few persons really know how deeply the Attlee mission can wound the sensibilities of the American people.

Why, it may be asked, is there such indifference? The answer is that the sacrifices made by the American people—the 140,000 casualties in Korea—are not now and never have been impressed upon the British people by most of the newspapers here. There is a sort of "it's all in the day's work" attitude in Britain which seems to say, "well, we have had many killed in little wars for the last hundred years." This is but another way of brushing off the Korean war itself, which seems never to have been convincingly presented in Britain as a war for an ideal—the repelling of aggression 8,000 miles away from home primarily by the forces of a country with no colonies in the Far East and with no commercial interests to defend. There is no other logical explanation for the tendency in the British Parliament to forget so soon that Red China was declared an aggressor by formal resolution of the United Nations in February 1951 and that she has done nothing since to atone for her sins before the world. Americans cannot understand the British willingness to take the blood-covered hand of the Red China government.

But it would be a mistake to say that the British Government, and particularly its Foreign Office, is unaware of the American attitude. Had the Attlee mission come before the cabinet for permission, which apparently it does not need to obtain, the answer would have been, "not at this time."

Also there are plenty of members of Parliament who say privately that the Attlee mission is a grave mistake and they hope America will understand it is not a policy of the British Government or of the majority in Parliament. For after all, Mr. Attlee and his associates—among them the fiery Aneurin Bevan—do not represent Britain, but only themselves.

Clement Attlee himself has a deep prejudice on the matter of American policy in the Far East. He thinks the United States should have abandoned Formosa to the Reds. Mr. Bevan believes America caused the aggression by the North Koreans and the Red Chinese. Both men are mature enough to know the comfort that the Communists will derive from their journey. Mr. Attlee defends his course in an interview published in the London News Chronicle:

"Our politicians are too ignorant of the China of today. We want to make an honest report about the changes taking place in this vast country whose civilization is thousands of years old. We want, if we can, to see how we can make friends in this great community and to gain the good will of its leaders. I cannot see how anything but good can come of such a visit."

There is something naive about a man of the experience of Mr. Attlee who believes that he will be able to get an honest look at anything behind the Iron Curtain or that the hand of friendship should be extended to a government which holds in prison many American citizens captured in the Korean war and never returned as the armistice agreement required.

Prime Minister Churchill, moreover, has just told the House of Commons that the government of Red China has snubbed for 4 years a British offer to exchange ambassadors.

Is it, therefore, the function of a group of minority members of the national legislature to conduct the foreign policy of the British Government, and decide for themselves whether or not it is opportune to start their own conversations with Chou En-lai, the foreign minister of Red China, who cannot but feel he is dealing with the British Labor Party and possibly with the men who will head up the next British Government? The American people may confidently expect that all this will be clarified before long. For never in the heyday of his assertion of congressional powers in inquiring into international policy has even a certain Wisconsin Senator ever suggested that he or his associates go abroad to deal directly with a foreign government, especially when his own Government, as well as the United Nations, are still in a technical state of war with that aggressor government.

#### RED CHINA SEEKS TRADE PACT WITH BRITAIN

Mr. MALONE. Mr. President, some might say that Mr. Attlee and Mr. Bevan do not shape Britain's foreign policy or trade policy, but whatever the case may be, the Attlee-Bevan policy and the official policy of Britain have marked similarities.

The Washington Post and Times Herald on June 4, 1954, carried an interesting dispatch from London headed "Peiping plans trade pact with Britain." I ask unanimous consent that this dispatch be printed in the RECORD at this point in my remarks.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

#### PEIPING PLANS TRADE PACT WITH BRITAIN

LONDON, June 3.—Red China has accepted an unofficial British invitation to send a mission here soon to negotiate a big trade pact.

This was announced today by five of the nation's main industrial and commercial groups. They said also the Chinese have offered to receive a team of British businessmen in Peiping to conclude contracts and generally boost trade between the two countries.

Spokesmen for the British groups told a news conference arrangements for nonstrategic business with the Chinese have been carried out "with the full knowledge and blessing of the British Government."

The information came out after the Foreign Office disclosed the Chinese Communists had promised to lift some restrictions on activities of British businessmen in their territory and to review the case of Robert Ford, a British radio operator seized when the Chinese overran Tibet in 1950.

A Foreign Office spokesman refused to say whether the Chinese had agreed to a long-time British request for exchange of ambassadors, but the steps taken represented the most conciliatory gestures the Chinese Reds have taken since Britain recognized the Peiping regime more than 4 years ago.

The Foreign Office said the Chinese delegation at the Geneva Conference informed Humphrey Trevelyan, head of the British diplomatic mission in Peiping, that they will grant exit permits to British businessmen on the Chinese mainland who for some years have not been allowed to leave.

They will also allow the firms these businessmen represent to send in men to replace those who leave, and investigate difficulties which have been placed in the way of British firms which want to wind up their operations in China.

H. J. Collar, secretary of the China Association, which speaks for British firms with interests in China, said later nearly 20 exit permits had been granted to Britons in the past month or so.



## FOREIGN AID BILLIONS PILE UP NEW GOVERNMENT DEBT

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. MALONE. I am happy to yield to the distinguished Senator from Louisiana.

Mr. LONG. Is it not true that since World War II we have given away \$45 billion to countries overseas on the theory that we were incapable of defending our own Nation alone if we were attacked?

Mr. MALONE. That must have been the assumption, however, starting with World War I in 1917 we entered into Europe's interminable wars on the theory that if Germany whipped Europe we would be next—and that we must defend Africa, Europe, and Asia to secure the critical materials we must have in peace and in war. Neither is true. Including our committed money, the amount we have expended since World War II is now \$59 billion. No one knows, of course, how much a billion dollars is. But, when we get down to a few dollars taken from our taxpayers who are making a living the hard way, taxpayers in the Senator's State of Louisiana and in the State of Nevada, they can understand what a few dollars amount to. Probably one of the reasons it is difficult to understand the \$59 billion is because it has been piled up into an additional debt. The \$275 billion debt is just so many figures.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. MALONE. I am very happy to yield.

Mr. LONG. Did the Senator see an article which appeared in the New York Times recently, to the effect that Europeans have received \$4 billion more than they even expected? Somewhere there was a slip, we gave them \$4 billion more economic aid than they were expecting, and more than we thought we were going to deliver to them.

Mr. MALONE. I am not surprised. I note that Mr. Stassen is having considerable trouble now with the Middle East. Some of the nations seem to be fed up with him and do not want any more of his fooling around out there, and have told him politely to stay away. He is now engaged in that argument, how to force them to take the money.

It seems that we are having more and more trouble disposing of money. One of our chief exports, of course, is money, and apparently we think we have to continue exporting it for some reason not entirely clear to the junior Senator from Nevada.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. MALONE. I am very happy to yield.

Mr. LONG. Does the Senator recall that one of the main arguments made for economic aid to the countries of Europe was that those countries needed American dollars in order to buy from us? The whole idea of the economic aid was to get the dollars in their hands.

Mr. MALONE. I remember that very thoroughly, and I remember from our prior debates in the Senate we were so anxious to give them dollars, we gave

them cash, and then we also paid in dollars full price for their materials.

Mr. LONG. Is the Senator familiar with the fact that there are almost one-half million American servicemen and their families stationed in Europe today, and that all those people are being paid in dollars? Those people spend those dollars, and the result is many billions of dollars of economic aid in Europe that no one ever thought about when the proposal to send additional American troops to Europe was first considered.

Mr. MALONE. Mr. President, I should like to say to the distinguished Senator from Louisiana that many believe that is the reason why we are keeping the troops in foreign nations. Certainly they cannot defend themselves. Quoting outstanding military strategists, if a war came tomorrow, we could not put on a decent Dunkerque in Europe. We could not feed our soldiers and we could not evacuate them. They would be on the way to salt mines, or dead, in a week. They are there to spend money in lieu of additional Marshall plan aid.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. MALONE. I am happy to yield.

Mr. LONG. I wonder if it ever occurred to the Senator how foolish our foreign policy has been in some respects, particularly insofar as England is concerned. Historically, for more than 300 years, England has been compelled by force of her position to contain Russia and keep Russia from taking the remainder of Europe. Britain successfully maintained that foreign policy for hundreds of years. Finally that policy became a tremendous burden. She maneuvered the United States into assuming that burden; and once we assumed it and assumed treaty obligations providing that we would not permit Russia to expand, Britain seems to be moving toward neutrality. Now she is prepared to let us take over the responsibility of containing Russia.

Mr. MALONE. I am about to say that the nations of Europe—Britain and France being the 2 leaders—have 2 hats. One of them is a United States hat and one is a Russian hat. It is little known, at least apparently little known—although the junior Senator from Nevada has placed the facts in the Record here 3 or 4 different times—that Britain and France each have an independent mutual-security pact with Russia. There is a paragraph in each one of the pacts reading almost exactly like the North Atlantic Treaty Pact. So they are signed up with both Russia and the United States. It is like a ballplayer signed up with the Yankees and the Giants, whichever wins the pennant they are in the money.

Mr. LONG. They are signed up with both teams.

Mr. MALONE. That is correct. It would be funny if it were not a tragedy. There is nothing that Senators can do about it if we continue to vote billions of dollars of taxpayers' money for Europe and they continue to pour them into Russia and into Communist China through exports. Reporters are writing about it every day. We can pick up any

newspaper—for instance, here is the Baltimore Sun of August 17, which is today. It is headed "Attlee China Visit Viewed as Welding Ties to Britain." It reads, in part, as follows:

PEIPING, CHINA, August 16.—Chou En-lai, Chinese Premier and Foreign Minister, tonight gave an elaborate banquet in honor of the British Labor Party delegation.

It goes on to say that the dinner was held in the Hall of Magnanimity, a former royal palace, and that the dinner was attended by members of government diplomatic corps in Peiping.

Mr. President, I should like to say to the distinguished Senator from Louisiana that I was in the capital of China, Nanking, in 1948, and our Ambassador, Mr. Stewart, and the Generalissimo Chiang Kai-shek, tried to prevail on me not to go to Peiping because the Communists were supposed to be only 8 miles outside the city limits.

I said "I did not come 12,000 miles to fail to see the city of Peiping and the great northern general."

We landed in Peiping at night, without lights, and we found a car waiting without lights. We were driven to the great northern general's camp. He told us exactly what we both know, that China was being sold down the river to the Communists. It took him about 3 hours, through an interpreter, to tell us about it.

I say to the distinguished Senator from Louisiana that we have deliberately brought about the condition we now face in China, the Far East, and Africa.

How anyone can read the current newspaper reports and vote continually to pay the taxes and industrial production expenses of the European nations is more than I can understand.

This newspaper article describes the dinner to which I have referred. It was a great dinner, undoubtedly. Then it goes on to say:

It is the desire of the Chinese people to strengthen further friendly relations between the peoples of the two countries.

The Chinese Premier urged cultural interchange. I read further:

"Cultural interchange should also be extended," he said. "This will have an important bearing upon consolidating and developing friendship and increasing mutual understanding."

"Strengthening of Chinese-British peaceful cooperation not only will prove to the whole world that it is possible for two countries of different systems to coexist peacefully, but will make it possible to facilitate the application of this principle of peaceful coexistence to relations between other countries."

The speech was delivered in three languages, in Russian as well as in English and Chinese.

I would say to the distinguished Senator from Louisiana that we must be punch drunk, because these things have no effect upon us. We have no idea apparently of what a billion dollars means to our hard-pressed taxpayers, not to mention \$17 billion, which was the amount of the first appropriation under the Marshall plan in 1948. It was to have covered 4 years. But by now we have built this assistance up to the \$48

billion mentioned by the distinguished Senator from Louisiana and to the \$59 billion which includes the billions we have appropriated but which these foreign countries have not yet got around to collecting.

Twenty-five years ago a man would have been put into an insane asylum if he mentioned such a sum to be paid to foreign nations with no return.

Mr. LONG. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I yield.

Mr. LONG. Did it ever occur to the Senator that for the sum which we have given away we could have built 2,000 modern airports in this Nation, with adequate fuel to maintain a going war for a considerable period of time. We could have built enough aircraft to give us the ability to strike Russia with a complete atomic attack from this country and to disperse our strength over 2,000 airbases instead of over about 100 airbases?

Mr. MALONE. I will say to the Senator that if he will examine—and I know he has examined—the report made by the Subcommittee on Minerals, Materials, and Fuels Economics, of which I happen to be chairman, it will be found that some of our greatest former generals have testified that we can defend the Western Hemisphere. They have testified that not only can we defend it, but we can defend it from North America. The only way we can defend any other part of the world is from here, by building long-range sonic-speed bombers and fighters, guided missiles, and radar, and by spending our money in defending the only area which can be defended in the first go-around in an all-out war, the New World—the Western Hemisphere.

The committee depended upon the well known military strategists to define the area we could defend, but I know every engineer in the United States; by reputation, who has accomplished anything; I know every contractor, every producer who has accomplished anything, and I know the engineers and economists in the Government who have gained the necessary experience to know what they are doing.

I can tell them from the hand-raised economists who have inhabited the wings of the White House since 1932 and who have gained their knowledge about the economy of this Nation by reading the books which they themselves wrote.

We heard these engineers, producers, and experienced Government employees.

The Western Hemisphere can be made self-sufficient in the production of the critical materials we need to fight a war or live in peace. It could have been done with much less than the \$48 billion or the \$59 billion to which we have referred, and this Nation made safe from dependence upon foreign nations.

Mr. LONG. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I yield.

Mr. LONG. The Senator's argument is not an isolationist argument. It is based upon a careful appraisal of what our potential enemy has and what it would be able to do under the circumstances, if the circumstances might be-

come worse. It seems to me that this Nation should adopt a defense policy which would tell the world that no matter what happens in Europe or in Asia, we are fully capable of defending this Nation and this hemisphere, and we expect to do so.

Mr. MALONE. I will say to the Senator that my argument is the opposite of an isolationist policy, because we cannot possibly defend Europe, Africa, and Asia with foot soldiers stationed in those areas—we can only defend the Western Hemisphere and any other areas we elect to defend from this area.

The testimony to which I have referred is public testimony. The only way we can protect parts of Europe, Africa, or Asia is by operating from North America with the planes which I have described, with submarines, guided missiles and radar. If this is true—and it is true—it is time we reassayed our foreign policy and our domestic policy. We should reassay these policies when we are asked to divide the markets of this Nation with all the other nations of the world and to station foot soldiers in the nations throughout the world.

#### ONLY UNITED STATES WILL OR CAN PROTECT WESTERN HEMISPHERE

The United States is the only power which can protect the nations of the Western Hemisphere. We need to revive the spirit of the Monroe Doctrine and encourage increased cooperation between the nations of the New World.

Our ancestors came to the New World 100, 200, 300, or 400 years ago. Why? Because they could not make a living in the Old World, and the situation has not changed.

Four hundred years ago Britain, France, and Spain began to explore to locate new sources of food to keep their populations alive. They discovered and explored South America, North America, the Far East, the Middle East, and Africa. As they discovered new countries, they made colonies of them—colonial slaves in effect. No question was raised about the rights of the discovered people—only the rights of the nations which were seeking to discover new sources of food and new sources of trade were considered.

#### WESTERN POWERS DISCOVERED, THEN DIVIDED

The Encyclopaedia Britannica will tell anyone who cares to read it what happened. Representatives of those nations often boldly divided the areas which they had mutually discovered to avoid trouble among themselves.

For more than 400 years the colonial system has been building.

#### OLD WORLD COLONIAL SYSTEMS SHATTERED IN TWO WARS

There were developed the French colonial system called the Union, the British colonial system now known as the Sterling bloc, the Belgian colonial system, and the colonial system of the Netherlands.

I say to the distinguished Senator from Louisiana [Mr. LONG] that the First World War shook the system. That was my war. I served in France and England in 1918. The Second World War destroyed the colonial system utterly.

#### UNITED STATES GUARANTEES COLONIAL SYSTEM IN NATO PACT

Then what happened? Following the Second World War, the North Atlantic Treaty was proposed on the floor of the Senate in 1948. What is the North Atlantic Pact? It is nothing more than a mutual guaranty by the United States of the integrity of the colonial systems throughout the world.

The debate between the junior Senator from Nevada and the late Senator Vandenberg of Michigan is in the RECORD. When Senator Vandenberg proposed the North Atlantic Treaty, I said, "We are guaranteeing by this treaty the integrity of the colonial system throughout the world." He said, "Oh, no."

I then said, "This is the way it is being done. We are guaranteeing to go to war when those nations are in war. We will have no control of how the nations of Europe—Britain, France, the Netherlands, and Belgium—get into war. How will they get themselves into war? Through the defense of their colonial systems."

The Senator from Louisiana can read about those developments in any local newspaper. They appear in the news every day. We are attempting to defend the colonial systems, and the systems are deadlier than Julius Caesar. Nobody can defend them. We are attempting to do the impossible. It cannot be done. Russia knows it; we should know it.

It is time the United States reassessed its foreign policy and got its feet on the ground. We do not want isolationism as such; we do not want internationalism as such. We want to preserve our own integrity in the new world—we want to trade with all of the nations of the world on the basis of fair and reasonable competition—and become self-sufficient in the production of the critical material within the area we can defend—the new world—the Western Hemisphere. We need to revive the spirit of the Monroe Doctrine or an extended Eisenhower doctrine.

#### BRITISH ADVISERS HAVE LONG URGED TRADE WITH REDS

There is no mystery about Britain's policy toward Soviet Russia and Red China, whether the Prime Minister be "Comrade Clem" or Sir Winston Churchill. The policy is the same, the policy is trade.

Britain's trade romance with Communist nations as been of long duration, and it has been half sold to some of our own policymakers.

As early as last December 31, 1953, the Associated Press carried a dispatch from London headed "British Manufacturers Advised To Increase Trade With Red Bloc."

I ask unanimous consent that the dispatch be printed at this point in the RECORD.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

#### BRITISH MANUFACTURERS ADVISED TO INCREASE TRADE WITH RED BLOC

LONDON, December 31.—A British industry advisory group has urged Britain's manufacturers to make vigorous efforts to increase



their trade in nonstrategic items with Communist China and the Soviet bloc.

But the group, a special panel of the Federation of British Industries cautioned yesterday that trade with the Communists could no longer account for even a comparatively modest proportion of Britain's total commercial flow. The Reds, they explained, don't have the agricultural exports Britain needs and have regarded their economy to gain independence of the West.

The panel said East-West trade should receive consideration uninhibited by political preconceptions. It asserted any feeling that such dealings are unpatriotic should be emphatically dispelled.

The report said the federation also should keep under review present controls on trade with Red China so the British Government could be asked to relax them if peace comes in Korea.

Present controls forbid trade in goods designated as having strategic value.

The report cited these factors limiting British trade with the Reds:

1. Trade between Russia and her satellites has been stepped up tenfold since the end of World War II.

2. All the satellites have been geared to the Soviet economic system in the hope of achieving independence of imports from beyond the Iron Curtain.

3. Because of wide industrial expansion, the Soviet bloc countries no longer have surpluses of the agricultural products which were the mainstay of their former commercial dealings with the West and which Britain chiefly wants from them.

The panel expressed doubt, for example, that China could sustain an annual trading program with Britain of 75 to 100 million pounds (\$210 to \$280 million) "which interested propaganda claims as possible."

**RANDALL REPORT ECHOED BRITAIN'S EAST-WEST TRADE PLEA**

**Mr. MALONE.** Mr. President, support by some Americans for Britain's plans to increase her trade with Communist nations was not long in developing. We are all familiar with the Randall report, recommending that:

The United States acquiesce in more trade in peaceful goods between western Europe and the Soviet bloc.

What are peaceful goods when a nation is preparing for war? Shirt buttons are war goods when a country is preparing for war. Food is war goods. Textiles are war goods. Anything which allows a nation to maintain its standard of living when it is preparing for war is war goods.

If Japan during the closing days of World War II could have received the goods which European nations now are shipping to Russia and Red China, the United States might still be in the war, unless, of course we could utterly have destroyed Japan from the air, which we probably could have done.

A London dispatch of January 26 noted that a group of British industrialists, following the British advice above stated had left for Moscow.

I ask unanimous consent that this dispatch, headed "U. K. Industrialists Leave for Russia," be printed at this point in the RECORD.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

**U. K. INDUSTRIALISTS LEAVE FOR RUSSIA**

LONDON, January 26.—Thirty-three British industrialists took off for Moscow today on

a private mission to drum up trade. A spokesman said business "running to many millions" is going begging in the Soviet Union.

Members of the party represented 26 firms from Britain's major industries, including automobiles, electrical, toolmaking, and woodworking machinery manufacturers.

"We are going out there to show the Russians just what we have to offer," J. B. Scott, spokesman of the group told a press conference. "In a country half again as big as the whole of Europe there are great possibilities for private trade."

Scott said everything the party has to offer the Russians was cleared by the British Government as nonstrategic.

The group represents a revamped version of a trade mission organized last year by the British Council for the Promotion of International Trade. Arrangements for that trip broke down when Foreign Secretary Anthony Eden denounced the council as a "Communist-front organization concerned mainly with spreading Communist propaganda."

**UNITED STATES FINANCES TRADE: BRITAIN GETS IT**

**Mr. MALONE.** Mr. President, the first paragraph of the London dispatch of January 26, 1954, reads:

Thirty-three British industrialists took off for Moscow today on a private mission to drum up trade. A spokesman said business "running to many millions" is going begging in the Soviet Union.

I have no doubt that it was going begging; but not for long. Not if the United States could finance the trade, and Britain could get it.

The British drive for increased trade with the Red bloc won early sympathy from Mr. Stassen, according to later dispatches.

The Wall Street Journal in February published a front page article headed "Free World To Relax Curbs; United States Exporters May Get New Outlets—Stassen and Allies Secretly Agree To Study Freeing of Machines, Metals, Ships—From a Dribble to a Trickle?"

I ask unanimous consent that opening paragraphs of this article be printed at this point in the RECORD.

There being no objection, the excerpts from the article were ordered to be printed in the RECORD, as follows:

**FREE WORLD TO RELAX CURBS; UNITED STATES EXPORTERS MAY GET NEW OUTLETS—STASSEN AND ALLIES SECRETLY AGREE TO STUDY FREEING OF MACHINES, METALS, SHIPS—FROM A DRIBBLE TO A TRICKLE?**

(By George E. Cruikshank)

WASHINGTON.—Freer trade across the Iron Curtain is on the way. What will it mean for the American businessman?

Answer: Possible new export outlets for a limited list of United States goods, mostly production machinery and some raw materials, that up to now have been ruled too "strategic" for shipment to Russia. Also, some slight competition from Soviet bloc wares, such as furs and food products.

Precisely what goods will be dropped from the list of "strategic" items now banned from shipment to Iron Curtain countries won't be decided until later this month. At that time, a little-known international body set up to police western trade with the Reds will meet in Paris to revamp its current embargo list. Called the Consultative Group, it's made up of the United States and 14 of its allies; the group's trade policies are actually hammered out in detail by a coordinating committee, known informally as COCOM.

**STASSEN AND THE ALLIES**

The western allies don't see eye to eye on just what goods can be safely traded with the "enemy"; for example, Britain and France, desperate for new export markets, favor a lot looser East-West trading than does the United States. Because the trade talks late this month will involve touchy negotiations, United States officials are chary with public comment on exactly what COCOM might come up with.

But United States foreign aid boss Stassen, just back from high-policy talks with British and French officials, is promising substantial easing of East-West trade restraints. That much was agreed to by Mr. Stassen in his talks with the British and French.

Moreover, it's understood that the 3 countries secretly agreed on 10 broad categories of items that might be dropped from the present strategic list, leaving it to COCOM to decide just which items, of the hundreds in each group, will actually be freed of East-West trade shackles.

**Mr. MALONE.** Mr. Stassen and the allies agree, Mr. President. It is a wonderful thing when a free-lance negotiator can go out and commit us to divide trade with the world and divide our taxpayers' money with the world. It certainly saves a lot of work for an over-worked Congress, provided Congress follows the commitment through and makes good, as it has done for 22 years.

**U. N. REPORTS RED CHINA TRADE GAINS**

Mr. President, even without Mr. Stassen's help, or that of Mr. Randall, trade with Red China had been increasing.

The Washington Star carried a report from the United Nations showing this increase in its issue of February 7, 1954, under the heading, "1953 Trade With Red China Rose Sharply, U. N. Reports."

I ask unanimous consent that the news report be printed in the RECORD at this point in my remarks.

There being no objection, the news report was ordered to be printed in the RECORD, as follows:

**1953 TRADE WITH RED CHINA ROSE SHARPLY, U. N. REPORTS**

UNITED NATIONS, NEW YORK, February 6.—Red China's trade with the non-Communist world rose sharply during the first half of 1953, a U. N. survey showed today.

The U. N. figures, published in the monthly bulletin of statistics, disclosed:

1. Communist China's exports to the non-Communist nations increased from \$151 million in the first 6 months of 1952 to \$205 million for the corresponding period last year.

2. Her imports from non-Communist countries zoomed from \$112 million in the first half of 1952 to \$163 million for the first half of 1953.

3. Countries increasing their trade with the Peiping regime included Britain, France, Belgium, Western Germany, the Netherlands, the Scandinavian countries, Italy, Austria and Japan.

4. While Communist China's trade with non-Communist areas was increasing, the trend of Russia's trade and that of her European satellites was just the opposite. There actually was a drop in the total trade between Communist and non-Communist countries in Europe.

As usual the U. N. tables were made up of figures supplied by the non-Communist countries and contained no information on trade among the Communist countries themselves.

Although the total dollar increase in Red China's trade was not very substantial when

compared with the total volume of world trade, there was a percentage increase of approximately one-third in both imports and exports.

The United States and India were the only major countries to have reduced their trade with the Chinese Communists substantially. The table listed Red China's exports to the United States for the first half of 1952 at \$22.5 million and those for the first half of 1953 at \$4 million. Exports from the United States to Communist China were listed at zero for both periods.

The U. N. report did not say what goods were exported to the United States, but a Census Bureau spokesman said in Washington last November 25 the United States bought about \$27.5 million in goods from Communist China and Outer Mongolia in 1952, consisting in large part of Chinese bristles, considered a strategic material. Since then the supply has been declared adequate and the imports ceased, he added.

The spokesman said imports for the first quarter of 1953 amounted to \$2 million, all from Outer Mongolia, where United States dollar purchases are not forbidden.

No figures were published on India's exports to the Chinese Reds, but the chart showed India's imports from the Peiping regime dwindled from \$5.1 million in the first 6 months of 1952 to \$2.1 million during the corresponding period last year.

Britain's imports from Red China rose from \$4.5 million to \$10.9 million and those of other British overseas territories increased from \$89.7 million to \$120.3 million. Western Europe's total imports from Communist China increased from \$26.4 million to \$55.4 million. This was not broken down country by country, but the U. N. report contained figures in the exports of some Western European countries to the Peiping Government.

These include: France's exports rose from \$900,000 to \$9.6 million; Belgium's from \$7.4 million to \$16.8 million; the Netherlands from zero to \$2.6 million; Western Germany from \$100,000 to \$13.7 million; Denmark, Norway, and Sweden from \$100,000 to \$3.3 million; Austria and Italy (lumped together) from \$1.9 million to \$3.8 million.

Britain's exports to Red China increased from \$1.8 million to \$8.7 million. Japan's exports to the Chinese Communists jumped from \$300,000 to \$2.2 million and her imports from Red China from \$5 million to \$11.4 million. Hong Kong's exports to Red China rose from \$29 million to \$63.7 million.

There was no breakdown on individual Latin-American countries, but the chart showed the group as a whole increased their imports from Red China from \$600,000 to \$1.3 million. No exports from Latin America to China were shown.

#### STASSEN AGREEMENT WITH FRENCH, BRITISH AMPLIFIED

Mr. MALONE. Mr. President, a detailed account of plans to increase trade with Communist nations, headed, "Western Big 3 Agree To Relax Ban on Trade With Communists" was carried by the Christian Science Monitor in its issue of April 1, 1954, mentioning Mr. Stassen, Prime Minister Churchill, British Chancellor of the Exchequer R. A. Butler, and British Board of Trade President Peter Thorneycroft, but not Clement Attlee or Mr. Bevan.

In passing, I wish to say, do not overlook this Mr. Butler. Apparently he has brains. He is the one who invented the slogan "Trade, not aid," which has been adopted by many individuals in this country.

Mr. President, I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### WESTERN BIG THREE AGREE TO RELAX BAN ON TRADE WITH COMMUNISTS

(By Carlyle Morgan)

LONDON.—American desire to preserve the closest possible unity among the Western Allies has played a major part here in winning agreement in principle between the United States, Great Britain, and France for a relaxation of bans against East-West trade.

While certain European viewpoints about this trade carried much weight in the three-power discussions now drawing to a close here, these views were less convincing to American negotiators than the fact that a rigid American attitude against East-West trade would do more harm than good in Europe's present political and economic climate.

So United States Foreign Operations Administrator Harold E. Stassen, British President of the Board of Trade Peter Thorneycroft, and French Under Secretary Maurice Schumann have agreed:

1. To permit trade with the Soviet Union and its European satellites not only in peacetime consumer goods but in some items heretofore listed as "strategic."

2. To keep the present bans on East-West trade with Communist China and North Korea intact until a settlement of the Indo-Chinese and Korean wars can be reached.

European arguments for increased East-West trade included the points that this trade is likely to be diplomatically useful; that it develops western contacts with traders inside the Iron Curtain; that it should help to relax political tension between East and West; that it helps raise living standards and so reduces the appeal of communism.

Some of these arguments have already been put forward by Britain's Prime Minister Sir Winston Churchill in the House of Commons. Many Britons are convinced of their validity quite aside from any consideration of Britain's growing need for export markets.

They were recognized in the agreement reached here to permit trade in goods that would contribute to food, shelter, health, etc., of the European peoples behind the Iron Curtain. This should at least prevent Soviet propaganda from effectively charging the West with withholding needed things which the Communist regimes stood ready to buy for their peoples, it was felt.

The agreement reached here is only the beginning of a task likely to take 3 or 4 months and involving 15 non-Communist countries. These now must work out detailed agreements as to what goods shall be labeled strategic and nonstrategic under the new arrangements. The countries are all North Atlantic Treaty Organization members except Iceland, plus West Germany and Japan.

What is clear now is that the list of strategic goods will be considerably shorter than it has been. The shorter list, besides meaning enlarged trade opportunities for Europe, will have the advantage from an American as well as British point of view of being easier to police effectively.

In addition to the American desire to maintain maximum allied cohesion, another important reason for relaxing East-West trade bans has appeared in recent months. This is the changed outlook for the course of the East-West struggle.

The United States as well as its European allies now are preparing for a long pull rather than an immediate explosion in the cold war. The long pull calls for more emphasis on diplomacy and other methods of relaxing East-West tensions and somewhat less on purely military preparations against attack.

The demand for bigger East-West trade opportunities has seemed justified in many European eyes by the fact that the United States does not itself seem likely to open up much bigger markets for the products of its allies. Some of these allies have their own problems with communism at home, problems which become more difficult if their exports fall and unemployment increases.

Before leaving London for Washington, Mr. Stassen will discuss with British Chancellor of the Exchequer R. A. Butler questions of American aid to Britain during the coming year and very likely also the effect which the new American policy of resuming stockpiling may have on British exports.

So far the announcement of this new policy has served only to reassure Britons that American raw materials will not be dumped in European markets.

Mr. Stassen and Mr. Butler also are expected to discuss the American recession—a development which many Europeans see as a warning that they must seek increased markets elsewhere than in the United States—including markets which have heretofore been restricted by bans on East-West trade.

#### BRITISH PRESS GIVES BRITISH VERSION OF RED TRADE DRIVE

Mr. MALONE. Mr. President, Mr. Stassen's policy of increased trade with Communists, as detailed in the Christian Science Monitor issue of April 1, 1954, ties in neatly with the British program as told in the March 25 issue of the London Daily Express, published in London, England.

I ask unanimous consent that the article from the London Daily Express, headed "Open Up, Friends—There's Gold Here," be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### OPEN UP, FRIENDS—THERE'S GOLD HERE

(By William Barkley)

Britain is making definite proposals to the United States and other allies to cut down the barred list of goods for trade with Soviet Russia.

Sir Winston Churchill is, therefore, pressing his views that the more trade there is through the Iron Curtain the better for the chances of peaceful relations.

Sir Winston laid down in the Commons a month ago that there would be no trade in military equipment.

But he recommended "a substantial relaxation of the restriction of manufactured goods, raw materials, and shipping."

All these, and many more items, are on the list governed by "strategic controls," and are barred.

#### NONSENSE

Yesterday M. P.'s on both sides said it was nonsense to regard them as involving security.

And Mr. Peter Thorneycroft, president of the board of trade, was able to assure them that Britain is taking the initiative in this.

He emphasized that the discussions excluded China and said "We believe it is possible to combine an enforceable list of controls on goods where security is important with a relaxation of controls on other goods."

"We intend to press on with this initiative."

And he added that the Geneva conference, starting on April 20, will give an opportunity for pressing on.

Mr. Harold Wilson (Socialist, Huyton), former president of the board of trade, was scornful of his successor's deeds to date. "All we have had is words, words, words. Let



us have some action." His recommended action:

1. Streamlining of the control list until it includes only such items as jet aircraft, guided missiles, and atomic weapons;
2. A formal trade agreement with Russia, and
3. Reopening of trade with China on the same basis.

#### AFRAID?

"American and Japanese businessmen are already getting active in the China market," he said. "We feel the Government is afraid to move an inch in case it gets into trouble with some American Senators."

Mr. Wilson said that America is schizophrenic in these matters—"It's Government preaches virtue, while its businessmen go in for sin in a big way. And, if you complain, the United States Government says: 'These are private businessmen.'"

He told how Western European manufacturers get around the restrictions which our manufacturers observe.

Russia wants uninsulated copper wire, but this is barred. So one firm supplied insulation which can be stripped off with a kind of zip-fastener.

Trade with Russia, said Mr. Wilson, has become respectable since the mission of the 33 British businessmen went to Moscow and now he added, the seal has been set upon it by Sir Winston's speech.

Britain's gold and dollar reserve was maintained last quarter by the arrival of £35 million worth of Soviet gold.

Mr. Wilson added: "Mr. Butler, the Chancellor, agrees that even Russian gold is worth its weight in dollars (laughter) even if it has to be melted down to remove the hammer and sickle before exporting it to the United States."

Did Mr. Wilson see a new look when he visited Moscow last September?

#### GREAT DESIRE

His report was: "It became clear to me that there was a great desire in the Soviet Union to expand imports and exports and that the increasing need for consumer goods gave an entirely new aspect to the domestic economy."

"Sir Winston Churchill's foray has stimulated the board of trade. He is the only member of the Government big enough to stand up to certain transatlantic pressures."

Capt. Henry Kerby (Tory, Arundel and Shoreham) revealed in a maiden speech that he is a first-class interpreter in the Russian language, who spent some years on what he called the borderlands of that great empire. He agreed if goods do not cross frontiers armies will sooner or later.

China note: Asked about trade with China at question time before the debate Mr. Anthony Nutting, Foreign Under Secretary, said he hoped the Geneva conference would open the way "for reconsideration of the strategic embargo on trade with China."

Sir Winston, in his foreign affairs speech made it clear he was thinking only of Russia.

We could not, he said, relax restriction on trade with China until the Korean peace is established.

#### "BILLIONS TO BRITAIN" INVOLVES RISKS TO UNITED STATES

Mr. MALONE. Mr. President, there is much behind this current mission of Mr. Attlee and Mr. Bevan and their comrades to Moscow and to Communist China.

It has all the semblance of a well-laid pattern—perhaps the word "conspiracy" might be too strong.

Missions of other Britons to Moscow have preceded it. High officials in the Churchill government, including the Chancellor of the Exchequer, have been

singing the same sweet theme song—friendly coexistence with the Communists and, above all, trade.

I submit, Mr. President, that our own Government at this time will be assuming grave risks if we advance further millions or billions of new aid to Britain without a firm understanding of what it is to be spent on, who it is to be spent for, and who will direct the spending.

#### TIME TO STOP APPEASING

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks a final editorial connected with Mr. Attlee, titled, "We're Still Appeasing."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of August 11, 1954]

#### WE'RE STILL APPEASING

If the United States "had taken courageous action" and won a military victory in Korea, "we would not have been confronted with the unhappy situation in Indochina," in the opinion of Gen. Mark Clark.

The four-star general, who retired last year, after commanding our forces in Austria and in Korea, told a congressional committee yesterday that the Korean truce left the Communist enemy "ready and arrogant" on the 38th parallel.

"We trained him how to fight," he said.

General Clark also said we need "more red blood" in our State Department, with which most Americans will agree.

He related that in 1947 President Truman told him personally to keep possession of thousands of Danube River barges in Austria. But this decision was overridden in a few weeks by the State Department and the barges were turned over to the Russians.

The general said that when he was not permitted to send his bombers beyond the Yalu River into Manchuria, he felt that the Joint Chiefs of Staff agreed with him. But he said he "had a feeling that the signals were being called by the State Department or someone higher."

Former British Prime Minister Clement Attlee, now being toasted at Moscow, where he has stopped off en route to Peiping to be the guest of the Chinese Reds, has boasted that he was that "someone higher." Mr. Attlee also has accepted credit for "getting" Gen. Douglas MacArthur, who has said almost exactly the same things General Clark is saying now.

But Mr. Attlee, the British Socialist leader, was by no means the only influence responsible for our weak approach to communism. As General Clark declared yesterday, "We have confronted the Soviets with one appeasement and concession after another." And most of those decisions were made in the State Department, where the purge promised by the present administration probably hasn't more than skimmed the surface.

General Clark, who had daily dealings with the Russians in Austria, does not believe bombing Red Chinese territory during the Korean conflict would have "triggered world war III." He said he did not think "you can drag the Soviet Union into a world war"—"because they are doing so well in the cold war."

But we are inviting excesses by the Red satellites by our very timidity.

Right now, in drafting the so-called Southeast Asian Defense Treaty, we are trying to lure neutrals like India into the organization by barring anti-Communist governments like South Korea and Nationalist China. That is appeasement of the worst

kind because it demonstrates to the enemy that we do not have the courage of our convictions.

Moreover, our Government is publicly excluding Nationalist China from this proposed pact at the very moment when Red China is threatening to invade Formosa. It is the next thing to telling the Reds to go ahead because we are looking the other way.

#### RED TRADE PACTS WITH MARSHALL PLAN BENEFICIARIES RECALLED

Mr. MALONE. Mr. President, it might be remembered that the junior Senator from Nevada put in the CONGRESSIONAL RECORD in 1948, 86 trade treaties made between Russia or her Iron Curtain satellites, and the 17 Marshall plan countries of Europe.

In 1949 the junior Senator from Nevada inserted in the RECORD 96 trade treaties made by the same European countries with Communist Russia and her satellites agreeing to ship to those countries tool steel, engines, electrical equipment, ball bearings—in fact, every conceivable material that Russia or China might need to make war upon the United States of America.

#### BRITAIN SIGNS SECURITY PACT WITH RUSSIA

In 1949 the junior Senator from Nevada also placed in the RECORD a copy of the mutual security pact that England had signed with Russia. One paragraph reads:

Each high contracting party undertakes not to conclude any alliance and not to take part in any coalition directed against the other high contracting party.

I wish to point out that that pact is still in existence. No notice has ever been served by either country, Russia or England, of cancellation, and not even any nervousness has been shown about it. As a matter of fact, I pointed out that they are now carrying out the very pledge they made in that pact, assisting Russia economically.

#### BRITAIN, FRANCE WEAR TWO HATS

Yet, Mr. President, on April 4, 1949, England signed the Atlantic Pact with the United States of America, including, in effect, the same identical provision.

France also signed the same mutual security pact with Russia, and then signed the Atlantic Pact with this Nation. Those pacts with Russia have approximately 10 more years to run.

The two nations of England and France have two hats, a United States hat and a Russian hat.

#### "COMRADE CLEM" DONS RUSSIAN HAT

Mr. Attlee, in his recent visits to Moscow, Russia, and to Peiping, China, was simply wearing his Russian hat, while they arranged for additional trade agreements with Communist Russia and Red China.

England was in the forefront of the nations which recognized Red China.

Mr. President the Atlantic Pact was "stillborn." The only life it has ever had injected into it was American blood and money.

Mr. President, on Saturday the Senate voted approximately \$3 billion, in addition to an unexpended balance of about \$9 billion. This is to be disbursed largely in Europe and Asia. To develop what? Industrial enterprises and production to

fulfill the trade treaties between our so-called allies and Russia and China.

Mr. President, since the European countries seem to be donning Russian hats, it behooves the United States of America to reappraise its foreign policy now in the interest of her own survival.

Mr. President, I yield the floor.

#### PROTECTION OF STRATEGIC DEFENSE FACILITIES FROM ACTS OF SABOTAGE, ETC.

The Senate resumed the consideration of the bill (S. 3428) to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion.

The PRESIDING OFFICER. Under the unanimous-consent agreement, during the further consideration of Senate bill 3428, debate on any amendment or motion, including appeals, is limited to not exceeding 1 hour, to be equally divided and controlled; and debate on the bill itself is limited to not exceeding 1 hour, to be similarly divided and controlled.

The bill is open to amendment.

Mr. MARTIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. In view of the fact that the time on the bill is controlled, under the unanimous-consent agreement, the absence of a quorum can be suggested at this time only by unanimous consent.

Mr. MARTIN. Then, Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without the time required for the call of the roll being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. I believe the Senate is now operating under the unanimous-consent agreement. Will the Chair have it stated at this point for the information of the Senate?

The PRESIDING OFFICER. The unanimous-consent agreement will be read.

The Chief Clerk read as follows:

*Ordered*, That during the further consideration of Calendar No. 1834, S. 3428, a bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion, debate on any amendment or motion (including appeals) shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from North Dakota [Mr. LANGER], in the event he is opposed to any such amendment or motion; otherwise, by the mover

and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the Senator from North Dakota [Mr. LANGER] and the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Mr. President, acting on behalf of the Senator from North Dakota [Mr. LANGER], I yield 20 minutes of the time on our side to the Senator from Michigan [Mr. FERGUSON].

The PRESIDING OFFICER. The Senator from Michigan is recognized for 20 minutes.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Michigan yield to me at this time?

Mr. FERGUSON. I yield.

Mr. JOHNSON of Texas. I shall be absent from the Chamber for a few minutes. I ask that the Chair recognize the Senator from Massachusetts [Mr. KENNEDY], for the purpose of enabling him to yield such time as I would otherwise be called upon to yield.

The PRESIDING OFFICER. Without objection, that will be done.

Mr. JOHNSON of Texas. I thank the Senator from Michigan for yielding to me.

Mr. FERGUSON. Mr. President, I shall make a brief explanation of the bill.

The purpose of Senate bill 3428 is to provide the Federal Government with new authority to guard strategic defense facilities by barring from them that limited number of individuals who are subversive and may be reasonably believed to be disposed to commit acts of sabotage, espionage, or other subversion. It is understood that a definite number of such individuals has already been identified. Some of these individuals are known to be employed in facilities where sabotage in time of war or emergency would seriously impair the military effectiveness of the United States.

It is understood that a definite number of such individuals have already been identified; that is, those who can be expected to commit sabotage and espionage and subversion. Some of those individuals are known to be employed in facilities where sabotage in time of war or emergency would seriously—and I underscore the word "seriously"—impair the military effectiveness of the United States.

The facilities involved are privately owned and are primarily engaged in what is regarded as normal civilian production. Although there is authority for barring subversive individuals from facilities directly engaged in the performance of defense contracts, there is no similar authority with respect to these facilities, although, as in the case of a powerplant or a producer of other basic materials or supplies required by a defense contractor, sabotage or interruption of production by these facilities could very materially curtail defense production. Espionage is also an important consideration.

The Magnuson Act (50 U. S. C. 191), relating to vessels, piers, and waterfront facilities, has served as a model for the proposed bill.

What was provided in the Magnuson bill is not included in this bill, but is specifically exempt. The Magnuson bill applied to vessels, piers, and waterfront facilities. We wish to extend the law so as to cover other facilities, as proposed in the pending bill.

Although the bill has a potentially broader coverage than the Magnuson Act, by reason of the procedures provided by the bill its operations will in fact be confined to the screening of a relatively small number of persons.

Section 1 provides a short title for the proposed enactment, the "Defense Facilities Protection Act of 1954."

Section 2 is a statement of legislative findings as to the basic considerations applicable to this legislation, reciting the dependence of the Nation in time of war upon its production economy, and the fact that injury or impairment of such economy and capacity has become a major objective of aggressor nations; the existence in the United States of a small number of subversive individuals reasonably believed to be disposed to engage in sabotage or espionage at the strategic time; and the necessity of barring them from access to those facilities where they could seriously impair the Nation's power and ability to meet internal or external threats.

Section 3 authorizes the President, whenever he finds and proclaims that the security of this country is threatened, to protect defense facilities from sabotage and espionage within a framework satisfying requirements of due process and with as little inconvenience to both employers and employees as the circumstances permit.

Subsection (a) authorizes the President, upon finding of enumerated emergency conditions, to prescribe rules and regulations to prevent access to defense facilities by those likely to commit sabotage, espionage, or other subversive acts. It is anticipated that the act will be put into effect by the issuance of an Executive order reciting the conditions mentioned above and naming an official or officials who shall take the necessary steps to accomplish its objectives. These steps would include the issuance of rules and regulations consistent with the limitations of subsections (b) and (c) of section 3.

Subsection (b) provides that, except for the summary procedures authorized in subsection (c), no measure, rule, or regulation shall operate to bar an individual from access to a defense facility (as later defined) under this bill unless he shall have first been notified of the charges against him and given an opportunity to defend himself against such charges. He is to be granted an expeditious hearing if he requests it, and any charges made must be sufficiently specific to permit him to respond to them. However, no hearings under the act will require that any Government investigative organization disclose its informants or other information if in its judgment disclosure would endanger its investigatory activity.

Mr. President, that is not an unusual provision. If it were necessary to give the names of informants or agents of the



United States Government, and if the disclosure of those names or that information would endanger our investigatory activities in this field, naturally they would not have to be given. But the law does require that charges be specific enough to enable a defense to be made, despite the provision for protection of security information. In other words, if the Government does not wish to give the names or information which would lead to disclosure of the names, it must nevertheless give information specific enough so that the accused may be given an opportunity to answer. It would appear, on the basis of recent decisions involving the Magnuson Act, which was taken to the upper court, that this would meet the requirements of due process.

I cite the cases of *United States v. Gray* (207 F. (2d) 237, 241-242 (C. A. 9th, 1953)); *Parker v. Lester* (112 F. Supp. 433, 443-444 (N. D. Calif., 1953)); see also *United States v. Nugent* (346 U. S. 1), involving hearing procedures under the Selective Service Act.

The necessity of expeditious action and of protecting security information makes appropriate the provisions of section 3 (b) that the Administrative Procedure Act shall not be applicable to proceedings under the bill.

Section 3 (c) authorizes summary suspension under certain circumstances. The individual involved would be entitled to a hearing, but under certain regulated circumstances there could be a suspension in the beginning. I shall describe those circumstances.

Section 3 (c) authorizes summary suspension of individuals from access to defense facilities without prior charges or hearing. However, if such a procedure is followed the individual involved must be notified of the charges against him within 15 days and, if he requests it, must be granted a hearing within 30 days from the time he is barred. In other words, he must get the information in 15 days, and within 30 days he is entitled to a hearing.

A determination must be made and transmitted to him within 30 days from the date of termination of the hearing or, if no hearing is requested, of the individual's submission of his defense to the charges. The subsection provides that any administrative appellate proceedings shall be determined promptly. No such administrative appeal proceedings would be constitutionally required.

The requirement of specific charges and hearings either before an employee is barred—subsection (b)—or, if summarily barred, immediately thereafter—subsection (c)—is intended to prevent any procedure involving the screening of the general body of civilian employees or placing a burden upon them to prove their loyalty. The procedure provided is, however, adequate to eliminate the known subversives expeditiously.

Finally, subsection (c) provides for compensation by the United States for the loss of earnings in or in connection with the defense facility during the period he is barred without a prior hearing, if he is thereafter cleared. The inherent fairness of such a provision and its desirability from the standpoint of due process are self-evident.

Therefore, the bill provides for due compensation in case a person is not found to be guilty. The inherent fairness of such a provision and its desirability from the standpoint of due process are self-evident. The bill affords to the respondent due process of law.

Subsection (d) provides that the term "defense facility" shall have the same meaning as it has in title I of the Internal Security Act of 1950. Section 3 (7) of title I of that act—title 50 United States Code, section 782 (7)—defines the term "facility" broadly, and the term "defense facility" as a facility designated and proclaimed by the Secretary of Defense pursuant to section 5 (b) of title I—title 50, United States Code, section 784 (b)—and included on the list published and currently in effect thereunder. Section 5 (b) directs the Secretary of Defense to designate and proclaim a list of "defense facilities" with respect to which he finds and determines that the security of the United States requires the exclusion of members of Communist organizations; such list must be published in the Federal Register and the management of any listed facility notified. The management must post notice of designation in such manner as to give reasonable notice thereof to all employees and applicants for employment.

Section 4 authorizes the imposition of penal sanctions for willful violations of any regulation, rule, or order issued pursuant to the act or for knowing obstructions or interference with the exercise of any power conferred by the act. Such offenses are made punishable by a fine of not more than \$10,000 or by imprisonment for not more than 5 years or both. It is believed that such penalties are adequate punishment for violation of the proposed act.

That is the same penalty which is provided for certain acts under the Internal Security Act of 1950.

Section 5 provides that nothing in the proposed enactment will deprive any person of the rights or benefits he may enjoy under the National Labor Relations Act, as amended.

Mr. President, that is my explanation of the bill. I believe its enactment is essential to our security. Even though a plant may not be engaged in manufacturing goods for the United States military services—for example, a power plant, water plant, electric light plant, or some other type of plant—it may still be as vital to our security as a plant which manufactures munitions, because it is impossible to operate one without the other.

Mr. KENNEDY. Mr. President, I yield 10 minutes to the Senator from New York [Mr. LEHMAN] on the bill.

Mr. LEHMAN. Mr. President, of course, I fully recognize the fact that in time of real emergency the Nation must have the power to protect itself. I yield to no one in my desire to grant adequate powers to our Government to protect the Nation.

It seems to me, however, that the so-called antisubversive bills which we have been passing during the past few days go very far afield, and do not protect the Nation but threaten the civil liberties of our people and the rights of labor.

As my colleagues know, earlier today I voted for the bill which had been introduced originally by the Senator from Minnesota [Mr. HUMPHREY], placing very heavy sanctions against those who belong to the Communist Party or who believe in the principles of the Communist Party, or who act in accordance with the orders of the Communist Party. I was glad to do so, because I believe firmly that the Communist Party is not a political party, but is a conspiracy to overthrow the Government of the United States by force or violence at such time as suits its purpose. I believe it is a very real threat.

However, in our desire to control the activities of members of the Communist Party, I believe we are going a long way on the road toward abridging the civil liberties of our people. I read a part of the explanation of the pending bill as follows:

The purpose of the bill is to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit active sabotage, espionage, or other subversion.

The facilities involved are privately owned and are primarily engaged in what is regarded as normal civilian production. Although there is authority for barring subversive individuals from facilities directly engaged in the performance of defense contracts, there is no similar authority with respect to these facilities, although, as in the case of a power plant or a producer of other basic materials or supplies required by a defense contractor, sabotage or interruption of production by these facilities could very materially curtail defense production.

Mr. President, I would have no objection to giving wide powers to the President in case of war and in the case of plants engaged in the production of genuine defense materiel—in other words, what we know as real defense plants. However, the bill goes far beyond that. The bill does not deal with defense plants alone. We are dealing with all plants. We are dealing with privately owned facilities which are primarily engaged in what is regarded as normal civilian production.

There is absolutely no limit to what could be done in connection with the operation of such plants and in connection with the employment or discharge of employees of plants which are privately owned and privately operated, and not used for defense purposes at all. There is nothing to stop the Government from going into a pants factory, a civilian automobile factory, a washing machine factory, a refrigerator plant, a television plant, an ice cream plant, or any other kind of plant, and saying: "We are not going to allow particular people to come into the plant or to work in the plant."

The Government could bar them from employment, and exclude them from the operations of the plant and from their means of a livelihood.

I have lived a long time, and I have seen many things happen, Mr. President. I am acquainted with the efforts that have frequently been made by industry to break strikes and to control the activities of organized labor or of labor generally. I believe this bill, just as the so-called Butler bill, which I voted against and spoke against, poses serious threat

to the freedom of action that should be the right of legitimate, decent labor in this country.

Under this bill anybody could be excluded from a plant, even plants engaged in civilian production. I am amazed at the boldness of the bill and the frankness of the report, because in describing what the bill does, it says:

The facilities involved are privately owned and are primarily engaged in what is regarded as normal civilian production.

Why should anybody have the right to say who can or cannot work in such plants, unless there is proof that those excluded are guilty of disloyalty or treason or attempts at espionage?

Mr. President, I think we are departing a long way from the principles which we have followed for so many decades, of protecting the rights of labor to organize and to work without unnecessary governmental interference.

We established the National Labor Relations Board and we have established many other boards for the protection of labor, so as to assure that justice is done to labor, to employer, and to the consumer, because, after all, if we do not do justice to labor, we are not doing justice to industry or to the consumer since I believe their interests are usually closely related.

In this bill we say very frankly that at any time the President feels there may be some emergency—and there is no binding description of what constitutes an emergency—he may say to John Smith or Jim Brown, or to 10,000 John Smiths or 10,000 Jim Browns, "You cannot work here. We do not want you. There is a strike on which we believe is subversive. We believe that strike may possibly be antagonistic to the interests of this country." Therefore, they are excluded from the plant.

I cannot conceive of any better device to break a strike than that which is afforded by this bill. I think it is a highly dangerous bill. I think it is a bill which should be defeated overwhelmingly in the Congress, but I am frank to say I do not believe it will be defeated.

The PRESIDING OFFICER (Mr. BARRETT in the chair). The time of the Senator has expired.

Mr. LEHMAN. May I have 3 minutes more, please?

Mr. KENNEDY. Mr. President, I yield the Senator an additional 3 minutes.

Mr. LEHMAN. I do not believe the bill will be defeated, because I know the temper of the Senate at this time. We are off on a rampage by indirect means to give the Attorney General of the United States, and the Subversive Activities Control Board, the right to control labor. I am not accusing the present Attorney General of unfair tactics or of any mean motives, but I am convinced that in the past few days, in connection with these so-called antislavery bills, which are not antislavery bills at all but are antilabor bills, we are seriously interfering with the rights of labor, the dignity of labor, and the ability of labor to fight for its rights and its liberties. We are passing a number of bills which put chains around the necks of the workers, chains they cannot break. We are

putting ourselves in the hands of a few officials of the Government who will be able to dictate the policies of labor and the policies of the country.

I am not a laboring man. I do not make my living by the sweat of my brow or with my hands. But I believe that organized labor is of the utmost importance to all of the people of this country, and it is of the utmost importance that justice be done to labor, and unless we protect the rights of organized labor, we shall harm not only labor, but the entire Nation.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Do both sides yield back all their remaining time?

Mr. KENNEDY. We yield back our time, and ask unanimous consent that each side may keep 5 minutes at the end of the quorum call.

Mr. FERGUSON. Each side reserves 5 minutes?

Mr. KNOWLAND. Mr. President, how much time is left?

The PRESIDING OFFICER. Fifteen minutes to each side.

Mr. KNOWLAND. We shall reserve 10 minutes for each side and yield back the balance of the time. I suggest the absence of a quorum, not to come out of the time of either side.

The PRESIDING OFFICER. The unanimous-consent agreement is that each side have 10 minutes after the quorum call, that the time consumed in making the quorum call not be taken out of the time of either side, and that the remaining time is yielded back. Is there objection? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from New York [Mr. LEHMAN].

Mr. LEHMAN. Mr. President, I do not know whether it will be possible to have a yea-and-nay vote on the bill. I believe the bill is a bad, dangerous bill—dangerous not only to labor, but to all the people of the country. If there is not to be a yea-and-nay vote, I desire, nevertheless, to be recorded in the negative on the bill.

Mr. FERGUSON. Mr. President, I yield myself 1 minute.

This is not an antilabor bill. It does not apply solely to workers. It applies to management as well, because the bill contains a provision that if management were barred from a plant illegally or wrongfully, it could recover damages because of inability to use the plant.

Only two kinds of persons would be in a plant—management and labor. The bill is not an antilabor bill. It is designed to protect America from sabotage and espionage. In the present cold war,

with conditions as they are, America must be placed in a position to defend herself.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield.

Mr. LEHMAN. I may be mistaken, but I do not think I am. I have not found anything in the bill which includes management in its scope.

Mr. FERGUSON. It includes any person in a plant.

Mr. LEHMAN. Any worker in a plant.

Mr. FERGUSON. A member of management is a worker.

Mr. MORSE. Mr. President, will the Senator yield me a half a minute?

Mr. JOHNSON of Texas. I yield 30 seconds to the Senator from Oregon.

Mr. MORSE. Mr. President, I join in the point of view expressed by the Senator from New York [Mr. LEHMAN]. I think this is an exceedingly bad bill. I think it could be used very arbitrarily, to the great injury of American free labor. Instead of calling it an espionage and sabotage bill, it would be better to call it a police state bill.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That this act may be cited as the "Defense Facilities Protection Act of 1954."

SEC. 2. The Congress hereby finds that—

(1) The history of modern warfare has established that the defense of any country is greatly dependent upon the effective and continued operation of its industrial economy and the full utilization of its productive capabilities. In time of war or of preparation for defense from attack by a potential aggressor, injury to the industrial economy or impairment of the productive capabilities of a country may severely curtail its military effectiveness, and such injury or impairment has become a major objective of aggressor nations in their preparation for and prosecution of war.

(2) There exists in the United States a limited number of individuals as to whom there is reasonable ground to believe they may engage in sabotage of the industrial economy and productive capabilities of the United States, espionage, or other subversive acts in order to weaken the power and ability of the United States to cope with actual or threatened war, invasion, insurrection, subversive activity, disturbance, or threatened disturbance of international relations.

(3) In such circumstances it is essential that, without impairing the rights or privileges of the great bulk of loyal United States citizens, such individuals be barred from access to facilities injury to which would be harmful to the industrial economy and productive capabilities of the United States, and, therefore, to its military effectiveness.

SEC. 3. (a) Whenever the President finds by proclamation or Executive order that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity, or of disturbance or threatened disturbance of the international relations of



the United States, the President is authorized to institute such measures and issue such rules and regulations as may be necessary to bar from access to any defense facility or facilities individuals as to whom there is reasonable ground to believe they may engage in sabotage, espionage, or other subversive acts. The President may perform any function vested in him by this act through or with the aid of such officers or agencies as he may designate.

(b) Except as provided in subsection (c) of this section, no measure instituted, or rule or regulation issued, pursuant to subsection (a) of this section shall operate to deprive any individual of access to any defense facility or facilities unless such individual shall first have been notified of the charges against him and given an adequate opportunity to defend himself against the charges. Such charges shall be sufficiently specific to permit the individual to respond to them, and such opportunity shall, if the individual so desires, include a hearing. The Administrative Procedure Act shall not be applicable to proceedings under this act. Nothing contained in this act shall be deemed to require any investigatory organization of the United States Government to disclose its informants or other information which in its judgment would endanger its investigatory activity: *Provided, however*, That in the event that such information is not disclosed the individual charged shall be furnished with a fair summary of the information in support of the charges against him.

(c) The measures instituted, or rules or regulations issued, pursuant to subsection (a) hereof may operate to bar summarily any individual from access to any defense facility or facilities provided that such individual shall be notified in writing of the charges against him within 15 days from the time he is so barred and given an adequate opportunity to defend himself against such charges, including, if he so requests, a hearing within 30 days of the date of such request. Reasonable continuances may, however, be permitted if consistent with expeditious disposition of the matter. A determination shall be made and transmitted to the individual affected within 30 days from the date of the termination of the hearing or, if no hearing is requested, of the submission of the individual's defense to the charges, and if administrative proceedings are provided by the rules or regulations for review of any such determination they shall be promptly determined. In the event that the summary bar against such individual is removed as a result of any proceeding, the individual shall be compensated by the United States solely for his loss of earnings in or in connection with any defense facility during the period he was so barred.

(d) As used in this act the term "defense facility" shall have the same meaning as it has in title I of the Internal Security Act of 1950, as amended, but shall not include vessels, piers, or waterfront facilities.

Sec. 4. Whoever willfully violates any rule, regulation, or order issued pursuant to the provisions of this act, or knowingly obstructs or interferes with the exercise of any power conferred by this act shall, upon conviction thereof, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 5 years, or both.

Sec. 5. Nothing contained in this act shall be construed to deprive any individual of any rights or benefits conferred upon him by the National Labor Relations Act, as amended by the Labor Management Relations Act, 1947.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had disagreed to the amendments of the Sen-

ate to the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GRAHAM, Miss THOMPSON, Mr. HYDE, Mr. CELLER, and Mr. WALTER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 8647) to amend Revised Statutes 4426.

#### FLOOD CONTROL ACT OF 1954

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2026, H. R. 9859, the omnibus public-works bill.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 9859) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND].

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with amendments.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I have a proposed unanimous-consent agreement, which has been formulated after consultation with the distinguished Senator from Pennsylvania [Mr. MARTIN], chairman of the Committee on Public Works, who is in charge of the bill. I have consulted with the majority leader and with other Senators on both sides of the aisle. I submit the proposed unanimous-consent agreement on behalf of the majority leader and myself, and ask that it be read.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read as follows:

*Ordered*, That during the further consideration of Calendar No. 2026, H. R. 9859, an act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, debate on any amendment or motion (including appeals) shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from Pennsylvania [Mr. MARTIN], in the event he is opposed to any such amendment or motion; otherwise, by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill

shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the Senator from Pennsylvania [Mr. MARTIN] and the Senator from Texas [Mr. JOHNSON].

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and it is so ordered.

Mr. MARTIN. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, with the understanding that as we go through the bill they can be amended.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I should like to ask the Senator from Florida if that is agreeable.

Mr. HOLLAND. That is perfectly agreeable.

Mr. MARTIN. Is that agreeable to the distinguished Senator from New Mexico?

Mr. CHAVEZ. Yes, that is agreeable.

Mr. HOLLAND. Mr. President, is it my understanding that the bill will be regarded as a clean bill, so that amendments may be made as if the bill were being considered anew?

Mr. MARTIN. The Senator from Florida is entirely correct. That is my purpose.

Mr. HOLLAND. I thank the Senator. The PRESIDING OFFICER. Is there objection?

Mr. CHAVEZ. Mr. President, the Senator from Pennsylvania is asking unanimous consent that the committee amendments be considered en bloc, but amendments may be offered from the floor. Is that not correct?

The PRESIDING OFFICER. That is correct.

Without objection, the committee amendments are agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 4, after line 9, to insert:  
"Delaware River, Pa., N. J., and Del.: In accordance with the recommendations of the Board of Engineers for Rivers and Harbors in House Document No. 358, 83d Congress, at an estimated cost of \$91,389,000."

At the top of page 7, to insert:  
"The existing modified project for Wilmington Harbor, N. C., authorized by the River and Harbor Act approved May 17, 1950, in accordance with the recommendations of the Chief of Engineers in House Document No. 87, 81st Congress, is hereby further modified to provide that the Secretary of the Army shall reimburse local interests for such work as they may have done upon widening of the transition channel at the lower end of the anchorage basin, subsequent to May 17, 1950, insofar as the same shall be approved by the Chief of Engineers and found to have been done in accordance with the project modification adopted in said act, provided that such payment shall not exceed the sum of \$65,000."

After line 13, to insert:  
"Charleston Harbor, S. C.: Senate Document No. 136, 83d Congress, at an estimated cost of \$200,000."

On page 8, after line 2, to insert:  
"Carabelle Harbor, Fla.: House Document No. 451, 83d Congress (maintenance of existing channel)."

After line 20, to insert:  
Pascagoula Harbor, Miss.: Modification of existing project in accordance with plans on file in the Office of the Chief of Engineers, at an estimated cost of \$877,000."

On page 9, after line 19, to insert:  
 "Port Aransas-Corpus Christi Waterway, Tex.: In accordance with the report of the Chief of Engineers, dated May 24, 1954, at an estimated cost of \$180,000."

On page 11, after line 16, to insert:  
 "Ashtabula Harbor, Ohio: In accordance with the report of the Chief of Engineers, dated June 29, 1954, at an estimated cost of \$4,900,000."

On page 13, after line 5, to insert:  
 "Richmond Harbor, Calif.: House Document No. 395, 83d Congress, at an estimated cost of \$2,086,000."

After line 14, to insert:  
 "Tillamook Bay and Bar, Oreg.: Senate Document No. 128, 83d Congress, at an estimated cost of \$1,500,000."

On page 14, line 7, after the name "Washington", to strike out "House Document No. 83d Congress" and insert "in accordance with the report of the Chief of Engineers, dated May 27, 1954"

At the top of page 15, to insert:  
 "Tacoma Harbor, Wash.: Modification of existing project to provide for 30-foot channel in Port Industrial (Wapato) Waterway, in accordance with plans on file in the Office of the Chief of Engineers, at an estimated cost of \$634,200."

After line 14, to insert:  
 "Sitka Harbor, Alaska: House Document No. 414, 83d Congress, at an estimated cost of \$41,500."

After line 16, to insert:  
 "Dry Pass, Alaska: House Document No. 414, 83d Congress, at an estimated cost of \$1,419,800."

After line 18, to insert:  
 "Neva Strait, Alaska: House Document No. 414, 83d Congress, at an estimated cost of \$224,400."

After line 24, to insert:  
 "Kodiak Harbor, Alaska: House Document No. 465, 83d Congress, at an estimated cost of \$1,685,000"

On page 16, after line 5, to insert:  
 "Nawiliwili and Port Allen Harbors, T. H.: House Document No. 453, 83d Congress, at an estimated cost of \$1,166,400."

On page 18, line 7, to strike out "\$1,176,400" and insert "\$1,180,400."

On page 19, after line 20, to strike out:  
 "Sec. 103. The Secretary of the Army is hereby authorized and directed to cause a preliminary examination and survey to be made to determine the need for a channel from the Gulf of Mexico into Choctawhatchee Bay, Fla., in the vicinity of Point Washington, subject to all applicable provisions of section 110 of the River and Harbor Act of 1950."

And in lieu thereof to insert:  
 "Sec. 103. The Secretary of the Army is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:  
 "Eastern River, at and in the vicinity of Orland, Maine;  
 "Southwest Harbor, Maine;  
 "Vicinity of Wells Beach and Drakes Island, Maine;  
 "Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla., in the vicinity of Point Washington;  
 "Lake Tarpon (formerly Lake Butler), Fla., to determine the cause of salt water intrusion and corrective measures with respect thereto; and  
 "Chipola River, Fla., for measures to maintain satisfactory water levels in the Dead Lakes."

On page 21, after line 9, to insert:  
 "Sec. 105. The authorization of the improvement of the Intracoastal Waterway from the Caloosatchee River to the Anclote River (H. Doc. No. 371, 75th Cong.) authorized in the River and Harbor Act of 1945

and modified by the River and Harbor Act of 1948 and the River and Harbor Act of 1950 is further modified so as to authorize the use of alternate route C-1 in the Venice and Lemon Bay, Fla., area, as designated in plans of the Corps of Engineers.

"The Chief of Engineers is directed to report to the Congress prior to request for appropriation to construct this part of the project his recommendation as to the fair amount of local contribution in the light of the changed condition. Provisions as to local contribution based on these recommendations shall become effective when approved by the Public Works Committees of the Senate and the House of Representatives."

On page 22, after line 2, to insert the following new section:

"Sec. 106. That the requirement, that local interests provide the ferries and bridges required for land traffic across the lateral and terminal canals, with respect to the river and harbor project authorized by the act of August 30, 1935 (49 Stat. 1028), on the Pearl River, Miss., below Jackson, shall hereafter be ineffective: *Provided*, That local interests furnish assurances satisfactory to the Secretary of the Army that they will hold and save the United States free from any claim for damage which might result from deprivation of access to the area."

In line 13, to change the section number from "105" to "107."

On page 25, after line 20, to insert:  
 "The plan for flood protection on the West Branch of the Susquehanna River, Pa. and N. Y., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 25, 1954, and there is hereby authorized to be appropriated the sum of \$25,000,000 for partial accomplishment of that plan."

On page 27, line 15, after the numerals "1954", to strike out "as concurred in by" and insert "and"; in line 16, after the word "Engineers", to strike out "dated April 8, 1954" and insert "in House Document No. 478, 83d Congress."

On page 29, after line 2, to insert:  
 "(e) The plan for flood control in the Reelfoot Lake Area, Tenn. and Ky., is substantially in accordance with the recommendation of the Chief of Engineers in his report dated June 17, 1954, at an estimated cost of \$748,100."

After line 22, to insert:  
 "The project for the Belton Reservoir, Leon River, Tex., authorized by the Flood Control Act of 1946, is hereby modified to provide for the reservation, without reimbursement, of 12,000 acre-feet of conservation storage to be used as a permanent source of water supply for Fort Hood and adjacent military installations."

On page 32, line 25, after the word "interests", to strike out "under section 2."

On page 33, after line 14, to insert:  
 "PECOS RIVER BASIN

"The project for flood protection on the Pecos River, Tex., and N. Mex., is hereby authorized substantially in accordance with the recommendations of the Board of Engineers for Rivers and Harbors, dated March 26, 1954, at an estimated cost of \$9,540,000: *Provided*, That no appropriations shall be made for construction of Los Esteros Reservoir until satisfactory arrangements have been made by the State of New Mexico for the transfer of irrigation storage from the Alamogordo Reservoir."

On page 35, after line 3, to insert:  
 "The project for flood protection on the Arkansas River, Conway County Drainage and Levee District No. 1, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 167, 82d Congress, at an estimated cost of \$230,600."

After line 9, to insert:

"The project for flood protection on the Arkansas River, Holla Bend Bottom, Ark., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 157, 82d Congress, at an estimated cost of \$312,000."

After line 21, to insert:

"The project for flood protection on Bear Creek at Hannibal, Mo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 435, 83d Congress, at an estimated cost of \$3,326,000."

At the top of page 39, to insert:

"The project for flood protection on the Big Sioux River and tributaries at Sioux Falls, S. Dak., is hereby authorized substantially in accordance with the recommendations of the Board of Engineers for Rivers and Harbors in its report dated March 15, 1954, at an estimated cost of \$3,430,000."

After line 12, to insert:

"The Secretary of the Army, through the Chief of Engineers, is authorized and directed to compensate the owners of water wells in the vicinity of Cold Brook Dam in South Dakota for losses determined by him to have been sustained by reason of the lowering of the level of water in such wells as a result, wholly or partially, of the construction and operation of Cold Brook Dam: *Provided*, That claims for losses compensable under this section shall be submitted not later than 2 years after the date of enactment of this act, or not later than 2 years after the lowering of the level of water which is the basis for the claim, whichever is the later."

After line 24, to insert:

"The general comprehensive plans for flood control and other purposes in the Missouri River Basin set forth in House Document No. 475 and Senate Document No. 191, as revised and coordinated by Senate Document No. 247, 78th Congress, 2d session, approved in the Flood Control Act of December 22, 1944, are hereby modified to include the payment by the Corps of Engineers for construction or provision of adequate water supply and sewage facilities in the new relocated municipality of Pollock, S. Dak., at a cost not to exceed \$200,000, which is to compensate for the acquisition of and to replace facilities in the town which are located within areas which have been or will be acquired by the United States because of the construction of the Oahe Dam and Reservoir project in the basin."

On page 40, after line 20, to insert:

"The project for flood protection on the Lower Heart River in the vicinity of Mandan, N. Dak., authorized by the Flood Control Act of 1946, and modified by the Flood Control Act of 1950, is further modified substantially in accordance with the recommendations of the Chief of Engineers in his report dated July 27, 1954, at an estimated cost of \$1,727,000."

On page 41, line 18, after the word "in", to strike out "House Document No. 83d Congress" and insert "his report dated June 23, 1954."

On page 42, line 2, after the word "in", to strike out "House Document No. 83d Congress" and insert "said document."

At the top of page 43, to insert:

#### "SANTA MARIA RIVER BASIN

"The project for flood protection on Santa Maria River and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 400, 83d Congress, at an estimated cost of \$10,182,000 for levees and channel improvements to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers."



After line 9, to insert:

**"SAN LORENZO RIVER BASIN**

"The project for flood protection on San Lorenzo River, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 447, 83d Congress, at an estimated cost of \$2,665,000."

On page 44, after line 9, to insert:

**"SAN LORENZO CREEK BASIN**

"The project for flood protection on San Lorenzo Creek, Alameda County, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 452, 83d Congress, at an estimated cost of \$3,790,000."

After line 15, to insert:

**"TRUCKEE RIVER BASIN**

"The project for flood protection on Truckee River and tributaries, California and Nevada, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 15, 1954, at an estimated cost of \$791,000: *Provided*, That the authorization for improvement for flood control on Truckee River, Calif. and Nev., contained herein shall not become effective unless and until the Washoe reclamation project on the Truckee and Carson Rivers, Calif. and Nev., shall have been authorized pursuant to law."

On page 45, after line 17, to insert:

"The project for flood protection on Amazon Creek at Eugene and vicinity, Oregon, authorized by the Flood Control Act of 1946, and modified by the Flood Control Act of 1950, is further modified substantially in accordance with the Chief of Engineers, in Senate Document No. 131, 83d Congress, at an estimated cost of \$893,600."

On page 47, line 6, after the word "or" to strike out "harbor" and insert "stream"; in line 7, after the word "this", to strike out "title" and insert "section"; after line 10, to insert:

"Ash and Pine Creeks, Fairfield and vicinity, Connecticut."

After line 15, to insert:

"Devils River and tributaries, Texas."

After line 16, to insert:

"Rio Hondo and tributaries, New Mexico."

On page 50, line 7, to change the section number from "210" to "209."

On page 52, line 10, to change the section number from "211" to "210."

**The PRESIDING OFFICER.** The bill is open to further amendment.

**Mr. MARTIN.** Mr. President, I yield myself 15 minutes in order to make an explanation of the bill.

First, Mr. President, I suggest that the Chair ascertain whether there are any further amendments to be offered.

**The PRESIDING OFFICER.** Are there further amendments?

**Mr. JOHNSON** of Texas. Mr. President, are we to have an explanation of the bill? Many amendments may be offered after the bill is explained.

**The PRESIDING OFFICER.** The Senator from Pennsylvania has the floor. How much time does he yield to himself?

**Mr. MARTIN.** I yield myself 15 minutes in order that I may explain the bill.

Mr. President, House bill 9859 is an omnibus bill providing authorizations for river and harbor and flood-control projects. It is the first general authorization bill considered by the Congress since the act of May 17, 1950. All of the projects proposed in the bill have been considered in extensive hearings held by the Committee on Public Works of the House of Representatives and by the Committee on Public Works of the Sen-

ate. The representatives of the Corps of Engineers, which prepared the reports and submitted recommendations on these projects, as requested by the Congress, were heard by both committees. They have furnished full information on the works proposed and the justifications for their accomplishment. Local interests which would be affected by the proposed projects were given full opportunity to present their views either for or against the proposed projects.

I should like to take this opportunity to remind the Senate very briefly of the procedures by which these projects are started and developed. In the first place, examinations and surveys of proposed projects must be specifically authorized by Congress. No survey can be undertaken by the Corps of Engineers without such specific authorization. Survey authorizations are provided by the Congress after receiving requests from the local people who are interested in securing improvements for flood-control or navigation purposes. After local requests are enacted by Congress into authorizations for surveys, the Corps of Engineers then proceeds to carry forward the surveys as rapidly as funds are made available. During the course of the surveys, public hearings are held by the Corps of Engineers in the localities which would be affected by the work under study, and the surveys are coordinated with all public agencies which may have some direct interest in the proposed improvements. After the surveys are completed they are then referred to the governors of the States in which the proposed work is located, and to interested Federal agencies. The comments of the governors and Federal agencies are all submitted to Congress with the report of the Corps of Engineers.

The proposed projects have, therefore, been carefully worked up by the technical staff of the Corps of Engineers, and have been fully scrutinized by local interests, State governors, and Federal agencies.

All members of the Committee on Public Works have taken part in the consideration of this bill, and it is reported to the Senate with the unanimous approval of the committee. The projects included in the bill as passed by the House are described in detail in the House Report No. 2247. The additional projects which were considered by the committee and incorporated in the bill are described in Senate Report No. 2007. A complete list of the projects, both those originally approved by the House and the ones added by the Senate committee, are shown in lists on pages 5, 19, and 22 of the Senate report. The committee has approved the projects contained in the bill as passed by the House, and we have recommended additional projects which were proposed for consideration subsequent to the close of the House hearings. Most of the projects considered by the Senate committee were found to be fully justified, and are thus recommended for inclusion in the bill.

A few projects were passed over without prejudice for the reason that they had not been processed to the point where adequate data could be made

available for the consideration of the committee.

The bill as passed by the House contained a total of 147 projects, with a total estimated cost of \$890 million. The Senate committee recommends the addition of 31 fully justified projects at a total estimated cost of \$169 million. The bill as reported to the Senate, therefore, includes a grand total of 178 projects, at a total estimated cost of \$1,059,000,000.

By comparison with previous authorizations, the total in this bill is smaller than the last 3 bills, which ranged between \$1,290,000,000 and \$1,450,000,000.

I call attention to the fact that the bill is purely an authorization bill. It does not provide any appropriations, and action to carry forward any of the projects proposed in this bill will be subject to the further review by the Appropriations Committees, and action by those committees and by the Congress itself on future appropriation bills.

A rather extensive explanation of the river and harbor flood-control programs is printed in the Senate report. I hope Members of the Senate will have the opportunity to examine the entire report, because I think they will find much valuable information therein with respect to these very important programs.

I should like to mention very briefly one of the more important factors which is considered in passing upon the justification for these projects. That is the ratio of benefits to cost. Under existing law, Congress has laid down the policy of participation in these projects whenever the benefits exceed the cost. The practical way of using these criteria is to convert all the costs of construction and maintenance to an annual basis, and compare the result with the average annual benefits which would accrue from the completed project. Therefore, under existing law if there is \$1 of benefit for each \$1 of cost, the project is considered economically justified within the letter of the law.

The projects in the bill all meet that test, and most of them are well above the minimum requirement. The highest benefit-cost ratio in the bill is for a beach erosion control project, in which the benefits would amount to \$17.9 for each dollar of cost. Many of the projects have better than a 2-to-1 ratio. More than two-thirds of the projects have a ratio of 1.5 to 1, or better. Overall, the estimated benefits from all projects in the bill will exceed the cost by a very substantial margin.

I wish to express my deep appreciation to the members of the Committee on Public Works for the splendid cooperation in taking up the bill upon rather short notice, and at a time when our workload is at its peak. I want to commend the chairman of the subcommittee, the distinguished Senator from Connecticut (Mr. Bush), and all other members of the subcommittee, for their excellent and efficient work on the bill.

I also wish to commend the representatives of the Corps of Engineers who assisted the committee, and so ably supplied the technical data needed by the committee in its consideration of these projects. Their cooperation is greatly appreciated.

Mr. President, I also wish to thank the members of the staff for their cooperation and fine, intelligent work in the preparation of the bill.

I think the Committee on Public Works has one of the best records in the Senate for bipartisan action. The unanimous committee approval of the bill is further evidence of that record. The committee also is one of the most representative committees from the standpoint of the areas served by its members. The New England area is very ably represented by the Senator from Connecticut [Mr. BUSH] and the Senator from New Hampshire [Mr. Upton]. From the Middle Atlantic area we have the Senator from Maryland [Mr. BEALL], and I am happy to be able to share in the representation of that section. The South Atlantic area has one member on the committee, the Senator from Florida [Mr. HOLLAND], who is a most capable representative of that part of our country.

The Senator from Mississippi [Mr. STENNIS] and the Senator from Tennessee [Mr. GORE] furnish very competent service for the central southern and lower Mississippi areas. The Great Lakes area is well represented by the Senator from Ohio [Mr. BURKE]. The Southwest has two very eminent representatives, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. KERR]. The Great

Northern Plains area has but one representative, the Senator from South Dakota [Mr. CASE], but I know it could not be more effectively served, even if it had several members on the committee. The Pacific Slope area is very efficiently represented in the southern portion by the Senator from California [Mr. KUCHEL], and in the northern portion by the Senator from Oregon [Mr. MORSE]. This gives us rather complete coverage of the principal geographical regions of the country.

I believe we have a good bill. We are recommending a number of very meritorious public-works projects that will produce much needed benefits. They are all economically justified.

They will form a necessary part of the expanding economy, and they will be available for development, as appropriations are provided and as economic conditions warrant.

Mr. President, I request unanimous consent to have printed at the end of my remarks a short summary of the projects, showing the number of projects and their total cost.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

A breakdown of these projects among the categories of flood control, rivers and harbors, and beach erosion control, is as follows:

	Passed by House		Added by Senate committee		Total	
	Number	Amount	Number	Amount	Number	Amount
Rivers and harbors.....	85	\$212,915,100	15	\$106,303,300	100	\$319,218,400
Beach-erosion control.....	22	14,007,664	0	0	22	14,007,664
Flood control.....	40	663,352,750	16	62,850,300	56	726,203,050
Total.....	147	890,275,514	31	169,153,600	178	1,059,429,114

Mr. CHAVEZ. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. MARTIN. It is a pleasure for me to yield to the distinguished senior Senator from New Mexico.

Mr. CHAVEZ. Mr. President, I wish to take this opportunity to congratulate the Senator from Pennsylvania [Mr. MARTIN], the chairman of the Committee on Public Works, for presenting his statement on the bill. I know this is one bill which does not have any political implications. All of those of us who serve on the Committee on Public Works, under the leadership of the able chairman, the senior Senator from Pennsylvania, have tried to report a bill which will be of service and benefit to the entire country. As the chairman of the committee has stated, the entire area of the Nation is taken care of, not with the idea of having a pork-barrel bill but with the idea of having a beneficial measure.

So I congratulate the Senator from Pennsylvania. I, for one, who heretofore had been chairman of the committee, commend the Senator from Pennsylvania for the fine work which has been done by him; and I know that equally efficient and successful work has been done by the Senator from Connecticut [Mr. BUSH], the Senator from Florida [Mr. HOLLAND], and the other members

of the committee. No politics whatsoever were involved; all members of the committee tried to do a good job.

So I desire to pay a warm and well-deserved tribute to the senior Senator from Pennsylvania.

Mr. MARTIN. Mr. President, I certainly appreciate greatly the remarks of the distinguished senior Senator from New Mexico. All of us know that he is the senior member of the Committee on Public Works, and he has been most cooperative and helpful.

Mr. President, at this time I offer and send to the desk two perfecting amendments, for which I request immediate consideration.

The PRESIDING OFFICER (Mr. CRIPPA in the chair). The amendments submitted by the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. On page 9, in lines 20 to 22, it is proposed to strike out "In accordance with the report of the Chief of Engineers, dated May 24, 1954," and to insert in lieu thereof "House Document No. 487, 83d Congress."

On page 11, in lines 17 and 18, it is proposed to strike out "In accordance with the report of the Chief of Engineers, dated June 29, 1954," and insert in lieu thereof "House Document No. 486, 83d Congress."

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Pennsylvania. The amendments were agreed to.

Mr. BUSH. Mr. President, will the chairman of the committee yield to me?

Mr. MARTIN. Let me inquire how much time the Senator from Connecticut wishes to have me yield to him.

Mr. BUSH. Will the chairman of the committee be so kind as to yield 5 minutes to me?

Mr. MARTIN. Certainly, Mr. President, I yield 5 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. BUSH. Mr. President, first, I wish to endorse the remarks of my distinguished friend, the Senator from New Mexico [Mr. CHAVEZ]. I thoroughly agree with all he has said.

I also desire to pay my tribute to him, as the ranking minority member of the committee, for his full cooperation in connection with the preparation of the bill; and I may say the same of all other members of the committee on his side of the aisle. I did not think we could possibly have reported so good a bill as we have, and so carefully prepared a bill, without the very expert help of the Senator from Florida [Mr. HOLLAND] and the Senator from Mississippi [Mr. STENNIS], in particular, who have devoted more time than have other members of the committee on that side of the aisle, in connection with the hearings and the preparation of the bill.

I also desire to pay my tribute to the distinguished chairman of the committee, the senior Senator from Pennsylvania [Mr. MARTIN], who has given this matter a great deal of careful attention; and because of his wide and extensive experience in these matters, he has guided the bill very carefully to the floor of the Senate.

I think all of us can feel very happy about the bill.

Mr. KUCHEL. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield to the Senator from California for a question.

Mr. KUCHEL. I desire to pay my respects to and extend my congratulations to the distinguished chairman of the committee, the senior Senator from Pennsylvania [Mr. MARTIN]; and also to my friend, the senior Senator from Connecticut [Mr. BUSH]; and, indeed, to all the other members of the Committee on Public Works, which held hearings over a long period of weeks and months, and has produced, today, on the floor of the Senate, a bill which literally will build America and will make America's economy stronger.

Mr. President, let me repeat that I pay my sincere respects and extend my congratulations to them; and I desire to state that I was delighted and thrilled to be able to participate in the discussions in the committee and subcommittee meetings.

Mr. BUSH. Mr. President, I thank the distinguished Senator from California for his generous remarks.



In view of all the nice things we have said about each other, I hope we shall be able to pass the bill.

Mr. President, at this time I wish to make a brief statement, if the distinguished chairman of the committee will be so kind as to yield me an additional 5 minutes.

Mr. MARTIN. Mr. President, I yield an additional 5 minutes to the senior Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes more.

Mr. BUSH. Mr. President, this bill continues a program of development of our rivers and harbors which had its beginning as a Federal Government activity over 125 years ago. Over this span of years, our Nation has grown from a group of small frontier settlements to a position of world leadership in economic development. Our transportation systems have played a vital part in this phenomenal development. Water transportation has always been the mainstay of these systems for the movement of bulk commodities and heavy goods. Over the past 125 years, we have developed almost 300 commercial harbors, 28,000 miles of improved waterways and about 500 locks and dams. These improvements have facilitated the growth of trade with other nations, developed commerce among the States and contributed to the security and continued growth of the Nation.

The latest available figures show that in 1952 the waterborne commerce of the United States totaled about 890 million tons, of which 660 million were domestic and 230 million were foreign. This represents an increase of 50 percent over the pre-war peak in 1929. On the inland waterways, the commerce reached a total of 168 billion ton-miles in 1952, which is an increase of 42 percent since 1940 when the total amounted to 118 billion ton-miles.

The improvement of these waterways for a growing peacetime economy has also given us a valuable asset in time of war. They have been used to provide access to inland shipyards and they have made possible a widespread geographical diffusion of manufacturing processes which otherwise would have been forced into congested or more exposed coastal areas.

The bill provides for many projects to deepen and widen existing channels and harbors. This is necessitated by the increasing use of larger and more economic vessels which will result in lower transportation costs and lower prices to the consumers. The progressive development of waterborne transportation has consistently brought economies in the cost of production of the many goods that provide us with the highest living standards of any Nation on the earth today.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MARTIN. Mr. President, I yield 3 minutes more to the Senator from Connecticut.

Mr. BUSH. Mr. President, the bill includes a number of projects for the control of beach erosion. Under the basic law establishing the policy for this pro-

gram the Federal participation is limited to not to exceed one-third of the total estimated cost of the proposed remedial work. The remaining two-thirds of the total cost must be borne by local interests. The basic law also limits Federal participation to publicly-owned beach areas. No Federal financing is permitted for any privately-owned beaches. The beach erosion control projects included in this bill have been shown by the studies presented to Congress to have a high degree of economic justification.

The bill further continues the Federal flood control program which had its initial beginning in 1879 when interest first developed in the problems of the great Lower Mississippi River Basin. This initial interest was followed by the adoption of a Federal project for flood control on the lower Mississippi, and also on the Sacramento River in California, where another great flood problem had become evident. In 1936 the Congress adopted flood control as a National policy with the declaration that floods constituted a menace to National welfare and that flood control is a proper activity of the Federal Government in cooperation with States and local interests where the benefits are in excess of the estimated costs and if the lives and social security of the people are otherwise adversely affected. From that beginning there has grown the important flood control program undertaken by the United States.

The flood control program undertaken by the Federal Government has already brought large returns. It is estimated that if no Federal flood control measures had been undertaken the total average flood damages in the United States would be in excess of \$800 million a year. The Federal flood control works now in operation prevent flood losses estimated at more than \$300 million a year, and a considerable amount of flood damage is prevented by works constructed by local interests. The remaining average annual flood damage actually experienced in this country totals, therefore, about \$500 million a year under the present state of development.

I am impressed with the thoroughness with which these projects have been studied and presented to the Congress by the Corps of Engineers in accordance with specific authorization by Congress. Detailed project reports have been submitted and printed as public documents so that all of the data explaining and supporting the proposed work are available as public information. These projects have been carefully considered by the Committees on Public Works of the House and of the Senate. It is the feeling of the committee that they will contribute to the national economy and welfare. We believe that there is adequate justification for the Federal participation in these improvements and we wholeheartedly recommend approval of the bill.

I yield back the remainder of my time, Mr. President.

Mr. FERGUSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 11, after line 14, it is proposed to insert:

Saginaw River, Mich.: In accordance with the report of the Chief of Engineers, dated June 7, 1954, at an estimated cost of \$4,496,800.

Mr. FERGUSON. Mr. President, I yield myself 5 minutes.

This amendment would authorize a navigation project for the deepening of the Saginaw River in Michigan. The Saginaw River is an important artery of commerce leading from the industrial cities of Saginaw and Bay City, Mich., into Lake Huron. In the 10-year period 1941 through 1950, commerce on the river averaged 2,771,829 tons a year, and I believe it has increased since then.

The project was submitted to Congress on August 2, after the Committee on Public Works had reported H. R. 9859. There were no adverse comments on this navigation project.

The project would cost \$4,496,800 in Federal costs, plus \$713,300 in local costs. The benefit-cost ratio is 1.41 to 1. Local interests would be responsible for providing certain land and rights of way, as well as protecting the existing bridges across the river.

Because the project came to Congress after the Committee had acted on the bill, I feel clearly justified in offering it on the floor and in asking the Committee and the Senate to approve the amendment so that it may be taken to conference.

Mr. MARTIN. Mr. President, this project came in a little too late for the committee to consider it before we finished work on the bill. However, as the Senator from Michigan states, everything had been properly cleared.

I will say to Members of the Senate that, owing to the lateness of the date, I do not know just what can be done in conference. I have discussed what is in the bill at the present time with Members of the House. I believe this amendment has great merit. At a later session the committee approved it. I am willing to take the amendment to conference.

Mr. JOHNSON of Texas. The junior Senator from Texas [Mr. DANIEL] and I are presented with a very similar situation. We received from the Bureau of the Budget and from the Chief of Engineers a report after the committee had acted on the bill. I believe the Senator is familiar with the Navarro Mills Dam on Richland Creek. Is this project somewhat similar to that?

Mr. MARTIN. Mr. President, what the senior Senator from Texas says is absolutely correct. The project to which he refers has received consideration by our staff, but the request was received too late for us to make the item a part of the bill. We have not yet acted on it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON].

The amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 29, after line 6, it is proposed to insert:

TRINITY RIVER BASIN, TEX.

The project for the Navarro Mills Reservoir on Richland Creek, Tex., is hereby authorized substantially in accordance with recommendations of the Chief of Engineers in his report dated May 28, 1954, at an estimated cost of \$4,969,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas [Mr. JOHNSON].

The amendment was agreed to.

Mr. FERGUSON. Mr. President, I offer another amendment which I send to the desk. I wish to ask some questions about it. I ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 42, between lines 18 and 19, it is proposed to insert the following:

WEST SHORE OF LAKE ERIE

The projects for flood protection along the shores of Lake Erie are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document No. 424, 83d Congress, at an estimated cost of \$1,900,000.

Mr. FERGUSON. Mr. President, I should like to have inserted in the RECORD at this point a statement I have prepared with regard to this project.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FERGUSON

I direct the attention of the Senate to two badly needed flood-control projects in the State of Michigan, which were not included in its version of the omnibus public works bill.

Both these projects are on the west shore of Lake Erie, in Monroe County. They are located at communities known as Lakewood-Luna Pier and Detroit Beach-Woodland Beach, each of which comprises approximately 500 homes. Their protection from flood damage has been estimated by the Corps of Engineers to cost \$1,900,000.

In March 1952, those communities were devastated by floods caused by the high level of Lake Erie and strong northeasterly winds. Damage at both points exceeded a half million dollars.

Committees on Public Works in both the House and the Senate failed to include the projects in their respective omnibus public-works bills because of a legal technicality. The Corps of Engineers recommended both projects as meritorious and deserving of construction. The Public Works Committees of the House and Senate did not disagree with the engineers on the merits.

The technicality was raised by the Bureau of the Budget in a letter to the Secretary of the Army, dated May 10, 1954. The point raised by the Bureau was simply this:

That Federal flood-control legislation does not specifically—I repeat, specifically—cover inundation of property aggravated by or due to wind or tidal effects. It suggested that underlying legislation be revised so as to clarify congressional intent with respect to such projects as set forth for Monroe County by the Corps of Engineers.

The cost is estimated as follows:

At Detroit Beach-Woodland Beach, the Government's share would amount to \$508,000, that contributed by local interests, some \$70,000, with a cost-benefit ratio of 1.47. At Lakewood-Luna Pier, the Federal cost would

be approximately \$977,000 with local interests to contribute \$122,500. The cost-benefit ratio at that point amounts to 1.24. At Point Place, Ohio, Federal funds totaling \$339,000 have been asked, backed by local contributions totaling \$52,000 with a cost-benefit ratio of 1.26.

I particularly want to emphasize the cost-benefit ratios cited for each project. All exceed the basic ratio of 1 for 1.

Despite the doubt raised by the Budget Bureau, there is precedent for the type of project I ask to be included in the public works bill. Such construction already has been authorized and completed in Lucas County, Ohio, along the shores of the same lake, Lake Erie, known as the Reno Beach.

Howard Farms project contained in the 1948 act. Another precedent was a project for flood control along Lake Ponchartrain in Jefferson Parish, La., in the 1946 act at a total cost of \$1,230,000.

The flood of 1952, to which I referred earlier, caused extensive damage at Estril Beach, Mich., also in Monroe County. Instead of ducking the issue, the Corps of Engineers immediately allocated over \$250,000 from its emergency fund to repair dikes already in existence.

After the flood which I mentioned, in March 1952, the Public Works Committee of the House adopted a resolution on June 26, 1952, in which it instructed the Corps of Engineers to make a study of the high levels of the Great Lakes.

Included in that resolution and in other acts of Congress—and this is of extreme importance to me—was this language: This study by the Corps of Engineers should be undertaken "with a view to determining the property damage resulting from changes in levels of the Great Lakes and the feasibility of measures to prevent the recurrence of damage." Similar language was used in the 1946 Flood Control Act and I believe that in adopting this language, the Congress was indicating its intent that flood-control measures could and should be undertaken in areas where the flood is caused or aggravated by wind or tidal effect, such as is the case with these projects.

The Corps of Army Engineers is of the opinion that the Monroe County, Mich., flood-control projects are authorized by existing law. They so testified before the Public Works Committees of the House and Senate pointing out that Flood Control Acts from 1944 on authorized surveys of damage from wind or tidal effects.

I might add that when the Monroe County projects were recommended by the Corps of Engineers, the St. Lawrence Seaway had not yet become law. The seaway, now about to become a reality, makes the construction of the dikes in Monroe County even more necessary.

Their cost will be offset against the reduced necessity for dredging in the channel connecting Lake Erie with the Detroit River. Higher levels in lake harbors and channels will permit the passage of deep-draft vessels without threat of further damage to low riparian areas. They also result in saving operating costs to bulk, commercial shippers, normally using the lakes on which to carry ore, coal, and wheat.

As long ago as 1925, testimony during the Chicago drainage canal controversy produced figures by the Lake Carriers' Association showing that freight savings or losses amounted to \$500,000 annually for each inch of increase or decrease in depth of navigation channels.

The reason simply is that ships can carry heavier cargoes in deeper channels.

The people of Monroe County have waited patiently for 2½ years for action by the Federal Government. Now we are at the point where relief can be granted on the basis of a careful study by the Corps of Engineers who have recommended these two projects.

I hope the 83d Congress will not become history without having taken the first basic step of enacting authorizing legislation for this construction work which is so badly needed.

I urge my colleagues to vote favorably on the amendment I have offered.

Mr. MARTIN. Mr. President, this project was not turned down because it lacked merit. However, it is not in accordance with the law. This project, to be approved, would require further authorization.

I shall be glad to attempt to answer any questions the Senator from Michigan wishes to ask.

Mr. FERGUSON. The Senator from Michigan, as well as the Representative from the Second District of Michigan, appeared before the committee, where the question was considered, and the committee was sympathetic as concerns the merits of the proposal. However, we were informed that it was the opinion of the committee that this project was not legally authorized. Is that correct?

Mr. MARTIN. Mr. President, that is correct. The project was not turned down because it lacked merit.

Mr. President, I hope I have made it entirely clear that the project was not turned down because it did not have merit. The committee felt that the project did not comply with the law.

Mr. FERGUSON. That is, it was not legally covered as an authorized project?

Mr. MARTIN. That was the feeling of the committee. It was not that the project did not have merit.

Mr. FERGUSON. Under the circumstances, the Senator from Michigan will not press his amendment as a part of this bill. I feel that the Senator from Michigan and Mr. MEADER, the Representative from that district, should present this project to be legally authorized in the next session.

Mr. MARTIN. Mr. President, I think that is a very proper way to proceed, and I thank the Senator.

The PRESIDING OFFICER. Does the Senator from Michigan withdraw his amendment?

Mr. FERGUSON. I withdraw the amendment.

Mr. BUSH. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield.

Mr. BUSH. The Senator from Michigan and the Representative from Michigan who appeared before the committee gave a very thorough and adequate explanation of this project. The committee was very much impressed with the manner in which they presented the project. As the Senator from Pennsylvania has said, if the law were such as to permit it, the committee would have been in favor of the project. Nothing more could have been done to convince the committee that it was a good project than was done by the Senator from Michigan.

Mr. CLEMENTS. Mr. President, on behalf of myself and my junior colleague [Mr. COOPER] I offer the amendment which I send to the desk and ask to have it stated.



The PRESIDING OFFICER (Mr. IVES in the chair). The secretary will state the amendment.

The CHIEF CLERK. On page 10, line 17, after the semicolon, it is proposed to insert:

*Provided, That such authorization shall include the acquisition of lands necessary for wildlife purposes as outlined in said Senate Document 81.*

Mr. CLEMENTS. The amendment would not add any cost to the bill. It would merely grant authority to the Corps of Army Engineers to acquire such land as may be needed in replacement. The Engineers question whether they have the authority to do it without such authorization. I discussed the question with the chairman of the committee, and, at his request, with the ranking minority member of the committee. I hope the chairman will take the amendment to conference.

Mr. MARTIN. The distinguished senior Senator from Kentucky and the distinguished junior Senator from Kentucky have discussed this subject with me. We are unable to say anything about the merits of the proposal, and we are not sure what can be done. If the amendment is taken to conference, we are not sure whether anything can be done with it, without further study and consideration.

Mr. CLEMENTS. I should like to make some legislative history in connection with the amendment.

The Kentucky Woodlands National Wildlife Refuge, containing approximately 60,000 acres, is located between the Tennessee and Cumberland Rivers. About 6,000 acres of that wildlife refuge will be taken in the construction of the high dam there. It might be said that 6,000 acres is a small percentage of more than 60,000 acres in the wildlife preserve. However, these 6,000 acres constitute the only productive land within that preserve. They provide feed for the geese and wild turkeys which abound in that wildlife preserve. Unless some re-

placement is made for that land, the remainder of the land will be of no further value as a wildlife preserve.

As I said a short time ago, the amendment would not add anything to the cost of the bill. It would merely give to the Engineers the authority to acquire this land when they acquire all the other land which is needed in connection with the construction of the dam, instead of having the Department of the Interior called upon to provide the machinery to acquire the land.

The Engineers could do it, provided definite authority was included in the bill to permit them to do it. I ask the chairman if that is a fair statement of the facts.

Mr. MARTIN. I believe the Senator has stated the facts very clearly. However, we are not sure about it. We have done some work on the program, but we are not sure about the authorization.

Mr. CLEMENTS. I can assure the chairman of the committee that I have been advised by the Engineers that unless such language is added to the bill they will not be authorized to acquire the land.

Mr. MARTIN. I have consulted with the chairman of the subcommittee which handled this bill and also with the ranking minority member of the committee, and I shall be glad to take the amendment to conference, with the explanation I have made.

Mr. CLEMENTS. I hope the chairman will not only take the amendment to conference, but will endeavor to "sell" the House on the importance of the amendment being retained in the bill.

Mr. COOPER. Mr. President, I should like to join my colleague, the distinguished senior Senator from Kentucky in urging the conferees to give their most careful attention to the amendment, which has been so ably presented by my distinguished colleague from Kentucky.

My colleague lives in the section of Kentucky where the improvement will be made. He was once governor of Ken-

tucky, and he is very familiar with the wildlife refuge. I hope very earnestly that the conferees on the part of the Senate will press the request made by my senior colleague and myself. I know that the Senators who will represent this body on the conference committee are familiar with the authority of the Corps in such a field. In analogy, I remember that when the Wolf Creek Dam was built on the Cumberland River the town of Burnside was inundated. In that instance the Engineers not only provided relief from the serious damage suffered by businesses and industries which had to move from the inundated areas, but also made arrangements to restore the town to the same comparable condition in which it was before the inundation.

That situation may not be an exact analogy with what my colleague has said, is needed in this case, but it is true that the situation cannot be handled except in the way in which my colleague has described. I urge that the conferees give very serious consideration to our request.

Mr. HOLLAND. Mr. President, will the Senator from Kentucky yield me 5 minutes?

Mr. COOPER. I am glad to yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. I wish to supplement what has been stated with respect to this bill by the distinguished chairman of the committee and by other members of the committee. However, certain facts in connection with the bill should be included in the Record, and I ask unanimous consent that they be included in the Record at this point, as a part of my remarks.

The first of two tables found at pages 5 and 6 of the committee report, covers rivers and harbor projects contained in the House bill. It shows a total of \$212,915,100.

I ask unanimous consent that the table be printed in the Record at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the Record, as follows:

*Projects in title I of bill as passed by House—Sec. 101*

Projects	Document No. <sup>1</sup>	Federal cost of new work	Projects	Document No. <sup>1</sup>	Federal cost of new work
Lubec Channel, Maine.....	S. 243, 81st Cong.....	\$74,000	Pocomoke River, Md.....	H. 486, 81st Cong.....	\$678,300
Portsmouth Harbor and Piscataqua River, Maine and N. H.....	H. 556, 82d Cong.....	952,000	Ocean City Harbor and Inlet, Sinepuxent Bay, Md.....	H. 444, 82d Cong.....	704,000
Lynn Harbor, Mass.....	H. 568, 81st Cong.....	65,000	Parrotts Creek, Va.....	H. 46, 82d Cong.....	38,700
Weymouth Fore River, Mass.....	H. 555, 82d Cong.....	4,400,000	Norfolk Harbor and Thimble Shoal Channel, Va.....	S. 122, 83d Cong.....	6,138,700
Town River, Quincy, Mass.....	H. 108, 83d Cong.....	525,000	Deep Creek, Accomack County, Va.....	H. 477, 81st Cong.....	95,000
Seituate Harbor, Mass.....	H. 241, 83d Cong.....	375,000	Oyster Channel, Va.....	S. 49, 83d Cong.....	75,200
Fall River Harbor, Mass.....	H. 405, 83d Cong.....	694,000	Wallace Channel, Pamlico Sound, N. C.....	H. 453, 81st Cong.....	108,000
Bullocks Point Cove, R. I.....	H. 242, 83d Cong.....	166,400	Smiths Creek, N. C.....	H. 170, 83d Cong.....	102,000
Sakonnet Harbor, R. I.....	H. 436, 82d Cong.....	555,400	Channel from Hatteras Inlet to Hatteras, and Rollinson Channel, N. C.....	H. 411, 83d Cong.....	175,000
Pachogue River, Conn.....	H. 164, 83d Cong.....	135,000	Peltier Creek, N. C., to Intracoastal Waterway, Channel Port Royal Sound to Beaufort, S. C.....	H. 379, 81st Cong.....	43,200
Westport Harbor and Saugatuck River, Conn.....	H. 488, 81st Cong.....	112,500	Savannah Harbor, Ga.....	H. 469, 81st Cong.....	765,000
Westchester Creek, N. Y.....	H. 92, 82d Cong.....	32,200	H. 110, 83d Cong.....	H. 110, 83d Cong.....	414,500
Hudson River, N. Y.....	H. 228, 83d Cong.....	31,928,000	Rice Creek, Putnam County, Fla.....	H. 446, 82d Cong.....	82,200
Shoal Harbor and Compton Creek, N. J.....	H. 89, 82d Cong.....	138,000	Hillsboro River, Fla.....	H. 567, 81st Cong.....	16,600
Hackensack River, N. J.....	H. 252, 82d Cong.....	1,973,900	Apalachicola Bay, Fla., channel across St. George Island.....	H. 156, 82d Cong.....	98,000
Mispillion River, Del.....	S. 229, 81st Cong.....	469,400	St. Joseph Bay, Fla.....	H. 567, 82d Cong.....	635,700
Inland waterway from Delaware River to Chesapeake Bay, Del. and Md.....	S. 123, 83d Cong.....	101,000,000	Mobile Harbor, Ala.....	H. 565, 81st Cong.....	1,312,000
Queenstown Harbor, Md.....	H. 718, 81st Cong.....	31,900	Dauphin Island Bay, Ala.....	H. 74, 83d Cong.....	5,778,000
Little Creek, Kent Island, Queen Annes County, Md.....	H. 715, 81st Cong.....	23,000	Bayou Segnette Waterway, La.....	H. 394, 82d Cong.....	70,000
Anchorage at Lowes Wharf, Talbot County, Md.....	H. 90, 82d Cong.....	29,000	Sabine Neches Waterway, Tex.....	H. 413, 83d Cong.....	520,000
Nanticoke River, Bivalve, Wicomico County, Md.....	H. 91, 82d Cong.....	192,600	Guadalupe River at Seadrift, Tex.....	S. 80, 83d Cong.....	6,875,000
Webster Cove, Somerset County, Md.....	H. 619, 81st Cong.....	20,300	Aranas Pass, Tex., in connection with the Gulf Intracoastal Waterway.....	H. 478, 81st Cong.....	74,300
Crisfield Harbor, Md.....	H. 435, 81st Cong.....	101,750	Turtle Cove, Tex.....	H. 376, 83d Cong.....	30,700
Rhodes Point to Tylerton, Somerset County, Md.....	H. 51, 82d Cong.....	45,100	Port Aransas-Corpus Christi Waterway, Tex.....	H. 654, 81st Cong.....	40,000
				H. 89, 83d Cong.....	\$29,100

<sup>1</sup> H. indicates House document; S. indicates Senate document.

## Projects in title I of bill as passed by House—Sec. 101—Continued

Projects	Document No.	Federal cost of new work	Projects	Document No.	Federal cost of new work
Mississippi River at Louisiana, Mo.....	H. 251, 82d Cong.....	\$82,600	Columbia River at the mouth, Oregon and Washington.....	H. 249, 83d Cong.....	\$8,555,000
Mississippi River at Chester, Ill.....	H. 230, 83d Cong.....	65,000	Columbia River between Chinook, Wash., and the head of Sand Island.....	S. 8, 83d Cong.....	227,100
Crooked Slough Harbor, Winona, Minn.....	H. 347, 83d Cong.....	142,000	Willapa River and Harbor and Naselle River, Wash.....	H. 425, 83d Cong.....	977,000
Cumberland River, Ky. and Tenn.....	S. 81, 83d Cong.....	3,434,000	Grays Harbor and Chehalis River, Wash.....	H. 412, 83d Cong.....	421,800
Green and Barren River, Ky.....	S. 82, 83d Cong.....	219,900	Grays Harbor and Chehalis River (Westhaven breakwater), Wash.....	H. —, 83d Cong.....	323,700
Knife River Harbor, Minn.....	H. 463, 83d Cong.....	220,000	Anacortes Harbor, Wash.....	S. 102, 83d Cong.....	179,300
Cornucopia Harbor, Wis.....	H. 434, 83d Cong.....	217,200	Neah Bay, Wash.....	H. 404, 83d Cong.....	139,250
Sheboygan Harbor, Wis.....	H. 554, 82d Cong.....	574,400	Bellingham Harbor, Wash.....	H. 558, 82d Cong.....	1,366,650
Holland Harbor, Mich.....	H. 282, 83d Cong.....	225,000	Blaine Harbor, Wash.....	H. 240, 83d Cong.....	436,000
Crooked and Indian Rivers, Mich.....	H. 142, 82d Cong.....	512,000	Shilshole Bay, Seattle, Wash.....	H. 536, 81st Cong.....	3,397,300
Toledo Harbor, Ohio.....	H. 620, 81st Cong.....	174,000	Port Angeles Harbor, Wash.....	H. 155, 82d Cong.....	477,900
Erie Harbor, Pa.....	H. 345, 83d Cong.....	270,000	Everett Harbor and Snohomish River, Wash.....	H. 569, 81st Cong.....	395,500
Black Rock Channel and Tonawanda Harbor, N. Y.....	H. 423, 83d Cong.....	36,900	Quillayute River, Wash.....	H. 579, 81st Cong.....	425,550
Little River at Cayuga Island, Niagara Falls, N. Y.....	H. 246, 83d Cong.....	2,450,000	Seward Harbor, Alaska.....	H. 182, 83d Cong.....	81,200
Oswego Harbor, N. Y.....	H. 487, 81st Cong.....	896,500	Valdez Harbor, Alaska.....	do.....	116,600
Los Angeles and Long Beach Harbor, Calif.....	H. 161, 83d Cong.....	3,889,000	Honolulu Harbor, T. H.....	H. 717, 81st Cong.....	3,022,000
Llaja del Rey Inlet and Harbor, Venice, Calif.....	H. 389, 83d Cong.....	5,437,000			
Port Hueneme, Calif.....	H. 362, 83d Cong.....	3,758,700			
Rogue River, harbor at Gold Beach, Oreg.....	S. 83, 83d Cong.....	41,000			
Umpqua Harbor and River, Schofield River at Reedsport, Oreg.....	S. 133, 81st Cong.....		Total.....		212,915,100

Mr. HOLLAND. Mr. President, the second table I ask to have included in the RECORD at this point appears at page 6 of the committee report. It shows the

rivers and harbors projects placed in the bill by the Senate committee. The total is \$106,303,300.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

## Amendments—Projects recommended by Senate committee—Items added (sec. 101)

Projects	Document No. <sup>1</sup>	Federal cost of new work	Projects	Document No. <sup>1</sup>	Federal cost of new work
Delaware River, Pa., N. J., and Del.....	H. 358, 83d Cong.....	\$91,389,000	Tacoma Harbor, Wash.....		\$634,200
Wilmington Harbor, N. C. (reimbursement).....	S. 136, 83d Cong.....	200,000	Sitka Harbor, Alaska.....	H. 414, 83d Cong.....	41,500
Charleston Harbor, S. C.....	H. 451, 83d Cong.....	0	Dry Pass, Alaska.....	do.....	1,419,800
Carabelle Harbor, Fla. (maintenance only).....		877,000	Neva Strait, Alaska.....	do.....	224,400
Pascagoula Harbor, Miss.....		180,000	Kodiak Harbor, Alaska.....	H. 465, 83d Cong.....	1,685,000
Port Aransas-Corpus Christi Waterway, Tex.....		4,900,000	Nawiliwili and Port Allen Harbors, T. H.....	H. 453, 83d Cong.....	1,166,400
Ashtabula Harbor, Ohio.....	H. 395, 83d Cong.....	2,086,000			
Richmond Harbor, Calif.....	S. 128, 83d Cong.....	1,500,000	Total.....		106,303,300
Tillamook Bay and Bar, Oreg.....					

<sup>1</sup> H. denotes House document; S. denotes Senate document.

Mr. HOLLAND. Mr. President, the third list covers the projects in the field of beach erosion control. The table is found at page 19 of the report. The total cost, so far as the Federal portion

only is concerned—and the Federal portion generally is one-third of the total cost—is \$14,003,664. I ask unanimous consent that that table be included in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

## Beach erosion control—Projects in bill as passed by House

Projects	Document No. <sup>1</sup>	Federal cost of new work	Projects	Document No. <sup>1</sup>	Federal cost of new work
Hampton Beach, N. H.....	H. 325, 83d Cong.....	\$140,000	Ocean City, N. J.....	H. 184, 83d Cong.....	\$105,000
Lynn-Nahant Beach, Mass.....	H. 134, 82d Cong.....	189,000	Cold Spring Inlet (Cape May Harbor), N. J.....	H. 206, 83d Cong.....	260,000
Revere Beach, Mass.....	H. 146, 82d Cong.....	402,900	Virginia Beach, Va.....	H. 186, 83d Cong.....	525,514
Quincy Shore Beach, Mass.....	H. 145, 82d Cong.....	409,000	Pinellas County, Fla.....	H. 380, 83d Cong.....	34,300
South Shore, State of Rhode Island.....	H. 490, 81st Cong.....	166,550	Illinois Shore of Lake Michigan.....	H. 28, 83d Cong.....	1,176,400
Hammonasset River to East River (area 2), Conn.....	H. 474, 81st Cong.....	166,600	Vermillion to Sheffield Lake Village, Ohio.....	H. 229, 83d Cong.....	185,000
Hammonasset Beach.....		20,400	Cleveland and Lakewood, Ohio.....	H. 502, 81st Cong.....	1,275,000
Middle Beach.....		84,600	Edgewater Park.....		68,900
New Haven Harbor to Housatonic River (area 3), Conn.....	H. 203, 83d Cong.....	42,400	White City Park.....		2,006,000
Prospect Beach.....		13,100	Selkirk Shores State Park, Lake Ontario, N. Y.....	H. 231, 83d Cong.....	136,500
Woodmont Shore.....		18,300	Point Mugu to San Pedro Breakwater, Calif.....	H. 343, 83d Cong.....	3,874,000
Gulf Beach.....		26,500	Anaheim Bay Harbor, Calif.....	H. 277, 83d Cong.....	65,700
Silver Beach to Cedar Beach.....		119,000	Seal Beach.....		91,600
Housatonic River to Ash Creek (area 7), Conn.....	H. 248, 83d Cong.....	2,044,000	Surfside.....		73,700
Short Beach.....			Carpenteria to Point Mugu, Calif.....	H. 29, 83d Cong.....	283,700
Seaside Park.....			Waikiki Beach, T. H.....	H. 227, 83d Cong.....	
Atlantic City, N. J.....	H. 538, 81st Cong.....		Total.....		14,003,664

<sup>1</sup> H. indicates House document.

Mr. HOLLAND. Mr. President, the flood-control projects covered by the bill fall into two categories. The first category covers the projects which are included in the House bill. The table

showing those projects is found at pages 22 and 23 of the committee report. The table shows new flood-control projects in amount of \$294,852,750. The total increases in earlier flood-control au-

thorizations as approved by the House, are \$368,500,000. I ask unanimous consent that the table be printed in the RECORD at this point, as a part of my remarks.



There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Projects in title II of bill as passed by House—Sec. 203*

Project	Document No. <sup>1</sup>	New flood-control projects	Increases in authorizations for previously approved projects	Project	Document No. <sup>1</sup>	New flood-control projects	Increases in authorizations for previously approved projects
Connecticut River Basin: Modification of project to provide for Otter Brook Reservoir, N. H.				Upper Mississippi River—Con. Sny Island levee, Levee Drainage District, Ill.	H. 247, 83d Cong.	\$7,046,300	
Modification of plan for West River Basin, Vt.				Upper Iowa River, Iowa.	H. 375, 83d Cong.	979,600	
Susquehanna River, vicinity of Endicott, Johnson City, and Vestal, N. Y.	H. 500, 81st Cong.	\$4,469,000		Missouri River Basin authorization—Kansas River and tributaries, Colorado, Nebraska, and Kansas.	H. 642, 81st Cong.	73,710,000	\$144,000,000
Central and southern Florida (modification of project).	H. 643, 80th Cong.		\$7,000,000	Osage River and tributaries, Missouri and Kansas, modification of project.	H. 549, 81st Cong.		
Lower Mississippi River: Control of Old and Atchafalaya Rivers and lock for navigation.	(?)	32,000,000		Kansas Citys, Kans. and Mo., modification of project.			
Channel in Old and Atchafalaya Rivers to Morgan City, La.	S. 53, 82d Cong.	440,000		Chariton River, Iowa and Mo.	H. 561, 81st Cong.	19,612,000	
Modification of project for the Vicksburg-Yazoo area.	H. 85, 83d Cong.			Little Sioux River, Iowa.	S. 127, 83d Cong.	10,076,000	
Modification of project for New Madrid floodway.	H. 183, 83d Cong.	1,743,000		Little Missouri River and tributaries at Marmarth, N. Dak.	S. 134, 81st Cong.	212,300	
Buffalo Bayou Basin, flood protection at Houston, Tex.	H. 250, 83d Cong.	16,191,600		Coal Creek and tributaries, Tenn.	H. 154, 82d Cong.	745,200	
Brazos River and tributaries, Oyster Creek and Jones Creek, Tex.	H. 535, 81st Cong.	40,000,000		Ohio River Basin: Sandy Lick Creek, vicinity of Reynoldsville, Pa.	H. 716, 81st Cong.	570,000	
Guadalupe and San Antonio Rivers, Tex.	H. 344, 83d Cong.	30,254,000		Paint Rock River, Ala.	H. —, 83d Cong.	1,001,300	
Guadalupe River, Tex. (modification of project for Canyon Dam).				Kalamazoo River, Mich.	S. 98, 83d Cong.	4,201,550	
Rio Grande Basin: At Albuquerque, N. Mex.	H. 464, 83d Cong.	7,500,000		Little Calumet River, Ind.	H. 153, 82d Cong.	509,900	
At Roswell, N. Mex., on Rio Hondo River.	H. 436, 83d Cong.	5,658,000		Los Angeles-San Gabriel Basin and Ballona Creek, Calif.			12,500,000
White River Basin: Modification of plan for Greers Ferry Reservoir, Ark., and authorization of Beaver Reservoir, Ark.	(?)			Sacramento River Basin: Middle Creek, Calif.	H. 367, 81st Cong.	1,110,000	
Arkansas River and tributaries, at Enid, Okla.	H. 185, 83d Cong.	965,000		American River, Calif.	H. 367, 81st Cong.	1,600,000	
Upper Mississippi River: Urban areas at Alton, Ill.	H. 397, 83d Cong.	2,500,000		Lower San Joaquin River Basin.			5,000,000
Guttenberg, Iowa, to Hamburg Bay, Ill.	H. 281, 83d Cong.	30,551,000		Columbia River Basin: Modification of project to include power development at Cougar Reservoir on South Fork of McKenzie River, Oreg., and Green Peter Reservoir on Middle Fork of Santiam River, Oreg., including White Bridge re-regulating reservoir on Middle Fork of Santiam River, Oreg.	H. 531, 81st Cong.		180,000,000
Fish Lake Drainage and Levee District, No. 8, Monroe County, Ill.	H. 396, 83d Cong.	480,000		Gold Creek and tributaries, Alaska.	H. 54, 82d Cong.	380,000	
				Walioa Stream and its tributaries, Island of Hawaii, T. H.	H. 529, 81st Cong.	347,000	
				Department of Agriculture, sec. 205, prosecution of works heretofore authorized.			20,000,000
				Total.		294,852,750	368,500,000

<sup>1</sup> H. indicates House document; S. indicates Senate document.  
<sup>2</sup> Report of the Chief of Engineers dated Apr. 8, 1954.

<sup>3</sup> Report of the Chief of Engineers dated Feb. 19, 1954.

Mr. HOLLAND. Mr. President, my last request covers the amendments placed in the bill by the Senate committee in the field of flood control, totaling

\$62,850,300, as shown in the table found on page 23 of the committee report. I ask unanimous consent that the table showing these amendments be printed

in the RECORD at this point, as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD.

*Amendments—Projects recommended by Senate committee—Items added (sec. 203)*

Projects	Document No. <sup>1</sup>	Estimated Federal cost	Projects	Document No. <sup>1</sup>	Estimated Federal cost
West Branch of Susquehanna River, Pa.		\$25,000,000	Oahe Reservoir, S. Dak., facilities at Pollock, S. Dak.		\$200,000
Reelfoot Lake area, Kentucky and Tennessee.		748,100	Heart River at Mandan, S. Dak.		1,727,000
Belton Reservoir, Tex. (reservation of water supply for Fort Hood).		0	Santa Maria River and tributaries, California.	H. 400, 83d Cong.	10,182,000
Pecos River, N. Mex. and Tex.		9,540,000	San Lorenzo River, Calif.	H. 447, 83d Cong.	2,665,000
Conway County Drainage and Levee District, Arkansas.	H. 167, 82d Cong.	230,600	San Lorenzo Creek, Calif.	H. 452, 83d Cong.	3,780,000
Holla Bend Bottom, Ark.	H. 157, 82d Cong.	312,000	Truckee River and tributaries, California and Nevada.		791,000
Bear Creek, Mo.	H. 435, 83d Cong.	3,326,000	Amazon Creek, Oreg.	S. 131, 83d Cong.	893,600
Big Sioux River and tributaries, Iowa and South Dakota.		3,430,000			
Cold Brook Dam, S. Dak.		15,000	Total.		62,850,500

<sup>1</sup> H. indicates House document; S. indicates Senate document.

Mr. HOLLAND. Mr. President, the total of these 5 tables as inserted in the RECORD will be found to be approximately \$1,050,000,000 of authorizations, as mentioned by the distinguished chairman of the committee, the Senator from Pennsylvania [Mr. MARTIN] in his opening remarks.

Notwithstanding the fact that it has been more than 4 years since a bill of this kind has been passed, it is the smallest bill in this field that has been considered

by Congress for many years. That fact indicates a conservative approach, and indicates also that there is a large backlog of earlier authorizations, which have not been reached and which have added to the complexities of the situation.

I have asked that these items be included in the RECORD for the information of all who may read the CONGRESSIONAL RECORD.

The PRESIDING OFFICER (Mr. Ives in the chair). The question is on agree-

ing to the amendment offered by the Senator from Kentucky [Mr. CLEMENTS].

The amendment was agreed to.

Mr. CASE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from South Dakota.

The CHIEF CLERK. It is proposed to strike out on page 39, lines 13 to 24, inclusive.

Mr. CASE. Mr. President, this amendment is a little unique. It proposes to make the amount in the bill a wee bit smaller. The reason for it is that the item has been taken care of by a bill which passed on the Consent Calendar some time ago, and which has been passed by the House of Representatives since this bill was reported. Consequently, there is no need of this language in the bill, and it might as well be deleted from the bill.

Mr. MARTIN. Mr. President, the amendment of the Senator from South Dakota is very much in conformity with his very careful legislative work. I do not think I have ever been associated with anyone who is so careful as is the Senator from South Dakota. It will be a great pleasure to accept his amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. CASE].

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Washington.

The LEGISLATIVE CLERK. On page 15, between lines 20 and 21, insert the following:

At Petersburg Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of \$40,000;

Pelican Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of \$270,000;

Ketchikan Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of \$2,947,900;

Rocky Pass, in the Keku Strait, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of \$214,000.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to place in the RECORD at this point an explanation of these items. They have been approved not only by the Corps of Engineers but by the Bureau of the Budget. Like several other amendments which have been accepted today, they came in too late for the House to consider them, and I hope the Senate conferees will take them to conference.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

HARBORS OF SOUTHEASTERN ALASKA (REPORT OF CHIEF OF ENGINEERS, DATED APRIL 8, 1954)

#### LOCATION

That portion of the Territory known as the Panhandle area, consisting of a narrow strip of mountainous mainlands, together with the islands of the Alexander Archipelago lying immediately offshore.

#### REPORT AUTHORIZED BY

Flood Control Act of June 30, 1948; river and harbor acts of July 24, 1946, and May 17, 1950; and resolutions of the House Committee on Rivers and Harbors dated October 30, 1945, and July 13, 1949.

Existing project: 15 projects in southeast Alaska have been adopted to fa-

cilitate navigation. Petersburg: Dredging approaches to the wharves 24 feet deep, a small-boat basin 8½ acres in extent, 11 feet deep, and a short channel 8 feet deep and 40 feet wide to the south of the Forest Service float. Ketchikan: Stone breakwater with concrete cap 940 feet long and a small-boat basin 10 feet deep.

#### PLAN OF RECOMMENDED IMPROVEMENT

Petersburg: Modification of existing project to provide for dredging the outer one-third of the small-boat basin to a depth of 15 feet. Pelican: Construction of a small-boat basin 12 feet deep and protected by a breakwater 1,000 feet long. Ketchikan: Modification of the existing project to provide a small-boat basin at Bar Point dredged to a depth of 15 feet or to rock, and protected by two stone breakwaters 700 feet and 1,550 feet long. Keku Strait at Rocky Pass: Improvement of Rocky Pass in Keku Strait by removing rock hazards to provide a channel with a minimum depth of 5 feet and a width of 150 feet at the Summit and 200 feet at Devils Elbow.

#### Estimated cost (report 1952 prices)

	Federal	Non-Federal	Total
Petersburg Harbor.....	\$40,000	-----	\$40,000
Pelican Harbor.....	270,000	\$20,000	290,000
Ketchikan Harbor.....	2,947,900	127,000	3,074,900
Rocky Pass in Keku Strait.....	214,000	-----	214,000
Total.....	3,471,900	147,000	3,618,900

Local cooperation: Furnish lands, easements, and rights-of-way, including quarry rights and spoil-disposal areas; construct, maintain, and operate mooring facilities and public landing; and hold and save the United States free from damages.

#### Project economics

	Petersburg	Pelican	Ketchikan	Rocky Pass
Annual charges:				
Interest and amortization.....	\$1,500	\$11,960	\$115,000	\$8,700
Maintenance.....	-----	1,200	12,000	2,300
Total.....	1,500	13,160	127,000	11,000
Annual benefits:				
Prevention of damage or loss.....	3,500	4,450	138,000	-----
Transportation savings.....	-----	4,800	18,000	18,000
Increased fish catch.....	-----	5,400	-----	-----
Total.....	3,500	14,650	156,000	18,000
Benefit-cost ratio.....	2.24	1.1	1.23	1.63

#### REMARKS

The economy of this section of Alaska, with its many islands, sparse population, and widely scattered settlements, is dependent on water transportation. There are several thousand boats using the harbors and waterways of the area. These projects are needed to protect fishing craft and other vessels from damage, decrease transportation costs to the fishing grounds and timber areas, and result in an increased value of the fish catch.

Mr. MARTIN. Mr. President, in accordance with the statements which I have made with reference to other amendments, this amendment has been cleared with the Bureau of the Budget, but it did come in too late, and I do not know what the House conferees may do. We shall make every effort to press for its adoption.

Mr. MAGNUSON. I appreciate the statement of the Senator from Pennsylvania.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON].

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to place in the body of the RECORD at this point correspondence with reference to the Tacoma Harbor dredging project.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

#### OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,

Washington, D. C., July 22, 1954.

Re Tacoma Harbor dredging project (port industrial waterway)

HON. WARREN G. MAGNUSON,

United States Senate.

DEAR SENATOR MAGNUSON: In further reference to my letter of June 7, 1954, the Pacific Oil & Refining Co. advised me, under date of July 13, 1954, that it has requested the Office of Defense Mobilization to amend its presently existing Certificate of Necessity TA-NC-24054 to include an alkylation unit in the interests of national defense.

We are pleased with this development since, as indicated in my previous letter to you, the Department of Defense is vitally interested in the construction of alkylation facilities in the Pacific Northwest area.

It is hoped that the necessary arrangements can be made in connection with the Tacoma Harbor dredging project which, if completed, will enable the Pacific Oil & Refining Co. to proceed with the construction of their refinery.

Sincerely yours,

W. W. WHITE,

Brigadier General, USAF,

Staff Director, Petroleum Logistics Division.

MAY 26, 1954.

Re Tacoma Harbor dredging project (Port industrial waterway)

Col. W. W. WHITE,

Office, Secretary of Defense,

Supply and Logistics,

Washington, D. C.

DEAR COLONEL WHITE: Recently the Chief of Engineers has received a very favorable report from the Seattle district engineers approving the above-named project. The report recommends a Federal investment of \$634,000 to complete this waterway. To date the local interests have spent in excess of \$2 million. The project is sorely needed to provide new deep water frontage for the port of Tacoma. This calls for dredging a ¾-mile waterway 30 feet in depth and about 800 feet wide.

One of the industries which intends to locate on this waterway involves an oil refinery. The refinery group intends to begin construction as soon as dredging of the waterway is assured and as soon as sufficient dredging has been accomplished, to provide a fill where storage tanks, etc., will be located.

The Washington Processing Co. is a participant in the refinery syndicate group and is currently acting as agent and spokesman for the larger organization. Recently this company advised the Tacoma Port Commission that in addition to the installation of modern type catalytic thermal reforming units, capable of producing 100-octane gasoline, it is planned to include an alkylation unit which will then make possible production of aviation gasoline. I am enclosing a copy of a letter which Mr. W. G. French, of Washington Processing Co., Inc., recently sent to the Tacoma Port Commissioners stating this intent.

As I understand it, there is still a considerable shortage of production facilities



for aviation gasoline. In addition, there are no such facilities located in the Pacific Northwest. Such a facility in the area would be of great value to the Defense Department in supplying installations in the Pacific Northwest and Alaska.

The oil refinery and alkylation facilities have been granted a tax amortization certificate. Their location in Tacoma is dependent upon early authorization and completion of the Port Industrial Waterway.

I am wondering if you would be willing to check into this matter from defense point of view and let me know what interest, if any, your department would have in the location of a refinery and alkylation unit in Tacoma. Since the waterway and these facilities are dependent one upon the other, the national defense importance of the installation will have some bearing on the speed with which we can get the waterway project through the Congress.

For your further information, legislative action is being correlated as much as possible with the procedures of the Corps of Engineers. I and other members of the Washington State delegation are trying to achieve authorization of the waterway in this session of Congress. If the project is approved for inclusion in the Omnibus Rivers and Harbors bill, we will seek an appropriation before adjournment. The time, therefore, is short. Your statement regarding the importance of the project for the national defense in terms of the oil refinery and aviation gasoline installation dependent upon the waterway completion will be most helpful.

I'll appreciate hearing from you at your earliest convenience. Best regards.

Sincerely,

WARREN G. MAGNUSON,  
United States Senator.

Mr. KENNEDY. Mr. President, I have an amendment at the desk which I should like to have the clerk read.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Massachusetts.

The LEGISLATIVE CLERK. On page 4, line 14, after "\$91,389,000", it is proposed to insert a colon and the following:

*Provided, That the incremental depth from 35 feet to 40 feet shall be provided by the Federal Government subject to the condition that local interests contribute one-half of the cost of such incremental depth in accordance with the recommendations of the Chief of Engineers in such document.*

Mr. KENNEDY. Mr. President, if I may have the attention of the Senator from Pennsylvania [Mr. MARTIN], I should like to say that on page 4 of the bill there is an authorization for the Delaware River of \$91,389,000. The sum of \$36 million of the \$91 million is for dredging the Delaware River from the Philadelphia Navy Yard to the United States Steel Works, at a cost of \$36 million. Because only the United States Steel Co. is going to benefit from this dredging to 40 feet, the Chief of Engineers, the Secretary of the Army, and the Bureau of the Budget, all of them, have recommended that the United States Steel Co. should pay half the cost. Unfortunately, the committee did not choose to follow the recommendations of the Bureau of the Budget, the Corps of Engineers, and the Secretary of the Army. Therefore, the entire \$36 million will be paid by the taxpayers of the United States. I think it is most regrettable. While I recognize that this

is an authorization, nevertheless, I believe the Senate should go on record and request the United States Steel Co., which is the only local interest to benefit from the dredging to 40 feet, to pay half the cost.

The Chief of Engineers, in a report to the Senate dated November 18, 1953, said:

All evidence indicates that the use of depths greater than 35 feet now or in the foreseeable future will be confined to a single company and, in accordance with established policy, the greater depth required by this single company warrants a substantial cash contribution to the incremental cost of the greater depth. I believe, therefore, that the incremental depth from 35 to 40 feet should be provided by the Federal Government subject to the condition that the United States Steel Co., or other local interests, contribute one-half of the cost of the incremental depth, this half being presently estimated at about \$18 million.

Secretary of the Army Stevens, on March 19, 1954, said:

I do not believe that any evidence now available indicates that prospective general commerce on the river, other than iron-ore receipts, will require more than a 35-foot depth. It appears true that additional economic benefits will accrue directly to the United States Steel Corp., from a 40-foot channel, and there seems every reason for the beneficiary to participate in the project.

Finally, Mr. President, the Budget Director, Mr. Hughes, said, on February 25, 1954:

We believe that no exception should be made to the long-established principle and practice in such cases of requiring local participation in the cost and that the amount of the cash contribution proposed by the Chief of Engineers in this case is reasonable.

There is no reason why the United States Steel Co., which is the only company which could possibly benefit from dredging the river from 35 feet to 40 feet, should not pay half the cost. The company is having iron ore carriers built in Japan to carry ore from Venezuela. Yet, Mr. President, it is the taxpayers who will have to pay the other half of the cost of deepening this channel. In view of the statements by the Bureau of the Budget, the Chief of Engineers, and Secretary Stevens, I see no justification for the United States Steel Co. not paying half the cost. It is a local company which is going to benefit from the project. It is for that reason that the Senator from Illinois [Mr. DOUGLAS], who is absent, and I have offered this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. KENNEDY], for himself and the Senator from Illinois [Mr. DOUGLAS].

Mr. MARTIN. Mr. President, I yield myself 5 minutes.

I should like to say to my distinguished friend from Massachusetts that I cannot give the name of the concern, but 2,500 acres of land have been optioned on the New Jersey side of the river, opposite the Fairless steel plant for the construction of another steel plant in the Delaware Valley.

Mr. DUFF. Mr. President, will my colleague yield?

Mr. MARTIN. I yield.

Mr. DUFF. I believe it is the National Steel Co., which is one of the largest steel companies, ranking very close to the United States Steel Co., which has acquired this land and which expects to make another installation at the point which the Senator has mentioned.

Mr. MARTIN. I appreciate what my distinguished colleague has stated.

I should like the Senate to have this information. The port of Philadelphia is one of the oldest ports of our Nation.

The Commonwealth of Pennsylvania, the city of Philadelphia, and the railroads have spent on that port one-third of a billion dollars. The population is increasing very rapidly in Bucks County, which is on the Pennsylvania side of the river. There are 8,000 industries in the Philadelphia area, in the States of Delaware, New Jersey, and Pennsylvania.

During the war there was probably more critical war production in this valley than in any other place in the United States. From the standpoint of defense alone, this project should be approved.

I am fearful that if we permitted the United States Steel Co. to make an appropriation of \$18 million, it would be a bad precedent. I feel that the waterways of our country ought to be free and without any possible understanding that any individual or any corporation has priority in their use.

Mr. BUSH. Mr. President, will the Senator from Pennsylvania [Mr. MARTIN] agree with me that the committee considered this question very carefully, and that it was pointed out to us that there is no precedent for the type of suggestion which the Senator from Massachusetts [Mr. KENNEDY] makes for himself and on behalf of the Senator from Illinois. There is no precedent for such contributions where general commerce is involved.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. BUSH. I do not have the floor.

Mr. MARTIN. I am glad to yield.

Mr. KENNEDY. Is it not a fact that Colonel Milne was asked that question before the Senator's committee on May 13, and that he stated for the Corps of Engineers:

There have been a number of examples, Mr. Chairman, where the Corps of Engineers has recommended a local cash contribution and such contribution has been approved by the Congress and has been made by those interests.

He then proceeded to give the Senator 4 or 5 examples.

Mr. BUSH. Does the Senator have the examples before him?

Mr. KENNEDY. I have. Colonel Milne stated:

Some specific examples that come to my mind: In the New England area, in Town River, Mass.—

He went on to say that the people of Town River, Mass., contributed 25 percent.

In the case of Houston ship channel—

Mr. BUSH. From what page is the Senator reading?

Mr. KENNEDY. Page 42 of the Senator's committee hearings.

Mr. BUSH. Of the hearings?

Mr. KENNEDY. That is correct. Colonel Milne talks about the Stockton deepwater channel in California, where the local interests paid one-half the cost.

Mr. BUSH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. MARTIN. I yield.

Mr. BUSH. We are trying to get at the facts.

Mr. MARTIN. Mr. President, I am very anxious that the Senate and the people of America have all possible information relative to the development of the Delaware Valley. I do not know whether Senators realize it or not, but using Philadelphia as the center, within 100 miles we have 1 percent of the area of the United States, but 14 percent of the population.

The PRESIDING OFFICER. The Senator's 5 minutes have expired. Does the Senator wish to yield himself additional time?

Mr. BUSH. Will the other side yield 2 minutes?

Mr. KENNEDY. How much more time have we left on this side?

The PRESIDING OFFICER. Twenty-five minutes remain to the Senator's side.

Mr. KENNEDY. I yield 5 minutes.

Mr. BUSH. The point I should like to make is this: There is no precedent for this kind of contribution where general commerce is involved. That is my position, and I believe it to be accurate. The examples which the Senator was reading, I believe, are not similar examples. Sometimes local contributions are obtained. That has been true not infrequently where land enhancement was involved. But when there is involved the deepening of a channel for the improvement of general commerce and the general service of the area, I submit that my information is that there is no precedent for this kind of contribution.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. BUSH. I should also like to emphasize, if the Senator will permit me, that this improvement should not be regarded solely as a benefit to the United States Steel Corp. The United States Steel Corp. is a very important element in the entire economy of this area, as the Senator from Pennsylvania [Mr. MARTIN] has pointed out. There are other industrial organizations there which will benefit by this improvement. I think the Senate should not be given the impression that we are doing a favor to the United States Steel Corp.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. BUSH. I am glad to yield.

Mr. KENNEDY. I think the Senator should understand that increasing the depth from 35 to 40 feet is not for the general industrial development of the area. I would not object to that at all. The fact is that the only company which can possibly need the additional depth from 35 to 40 feet, is the United States

Steel Corp. I quote from the report of the Senate Committee on Public Works:

Extension to Trenton is necessary due to the recent construction of a large modern steel plant by the United States Steel Corp. below Morrisville, Pa. This plant will receive high iron content ores from Venezuela and other foreign sources directly by water and is vital to national defense and national welfare.

Mr. BUSH. Mr. President, I ask the Senator from Massachusetts whether or not he thinks it would be of great benefit to that whole area if the company installed such a plant.

Mr. KENNEDY. The Senator from Massachusetts is stating that the industrial benefit is to the United States Steel Corp. Is that not the fact?

Mr. BUSH. I say the benefit is to the whole area.

Mr. KENNEDY. Because it benefits the United States Steel?

Mr. BUSH. If the Senator will have it that way.

Mr. KENNEDY. The point is that, as the Corps of Engineers stated, the reason for dredging to 40 feet is the construction by United States Steel in Japan of extra large carriers. For the general commerce of the river, dredging to a depth of 35 feet is sufficient.

I would support that statement. The Corps of Engineers stated that if the depth were to be increased to 40 feet the local interests which would be directly benefited should bear one-half the cost.

Mr. BUSH. The committee felt, on the other hand that the dredging of the additional depth would so improve commerce that it would better the situation for the entire area, and not solely for the United States Steel Corp.

Mr. KENNEDY. The Senator may recall that it was stated before his committee that United States Steel was the only company which would need dredging to that depth; that all other commerce or the interests of the area could be served by dredging to 35 feet. It was because of the extra large ore vessels that it was necessary to dredge to 40 feet.

Mr. BUSH. The committee did not feel that there was anything particularly evil about that. The committee was thinking about the improvement of navigation in order to benefit the whole industrial and economic situation in that area. Someone has to take the leadership in these things. There is no particular disgrace in having the United States Steel Corp. do it.

Mr. MARTIN. Mr. President, I wonder if the two Senators will yield for a moment.

The PRESIDING OFFICER. Is this time to be charged to the time of the Senator from Massachusetts [Mr. KENNEDY]?

Mr. MARTIN. No; it can be taken out of my time.

I should like to give the Senate this information:

The number of people employed by the United States Steel Co. in that area is 6,180. One other concern in the locality is the Kaiser Metal Products Co., which employs 9,032.

As my distinguished colleague from Pennsylvania [Mr. DUFF] stated a mo-

ment ago, I know that options are taken on an area opposite the Fairless plant on the Jersey side; and he gave the name of the steel company which intends to erect a plant there.

Mr. KENNEDY. I quote the Chief of Engineers, General Sturgis. He states:

All evidence indicates that the use of depths greater than 35 feet now or in the foreseeable future will be confined to a single company.

There is no indication that the company which the Senator has just named has any need for a channel more than 35 feet deep.

Mr. BUSH. Mr. President, there is nothing unusual about that situation. It is true that that statement is in the report and in the hearings, but the same situation arises in Texas. I am sorry the Senators from Texas are not present to hear me. One of the projects was the deepening of a channel in a particular waterway in Texas so that oil tankers could get in there. They needed more depth. It was not done for the particular benefit of the Humble Oil Co., or the Standard Oil Co. of New Jersey. It was done for the benefit of commerce generally in the area.

That is why all these things are done. The fact that the United States Steel Corp. happens to be the particular agency which will use the waterway first, and at the present time is the only one that may use it at that depth, is not an argument against the project.

Mr. KENNEDY. The only reason—

The PRESIDING OFFICER. Whose time is this on?

Mr. KENNEDY. This is on my time, and then I shall conclude.

The only reason I argue the point is that it is the position taken by the Corps of Engineers, by the Bureau of the Budget, and by the Secretary of the Army. For the Congress of the United States to authorize the expenditure of \$36 million for the benefit of one company, however important the company may be, seems to me to be establishing a most dangerous precedent. Therefore, the amendment which we have offered is in accordance with the recommendations of the Corps of Engineers.

Mr. Fairless, speaking in Georgia on October 30, 1952, stated:

But real economy can never be achieved in Washington by the effort of Congress alone. It cannot be accomplished by hacking splinters at the edges of an executive budget that is wasteful to the core; for real economy is not merely a legislative act—it is a state of mind.

It seems to me we have an opportunity, in accordance with the recommendations of the administration—and I think they are 100 percent right—to ask that the local interests pay one-half the cost.

Mr. BUSH. Mr. President, I should like to make 1 or 2 additional observations.

The Senator's figure of \$36 million is the gross figure, and I believe the amendment proposes that half of that cost be borne by the company, not all of it.

Mr. KENNEDY. That is in accordance with the amendment—one-half.

Mr. BUSH. So that we are talking about \$18 million, and not \$36 million.

Mr. KENNEDY. That is correct.



Mr. BUSH. It is still a great deal of money. I agree with the Senator about that, but I think the Senate should stand on its precedents, and there is no precedent for this kind of a split in this kind of a project where general commerce is involved. There have been many cases in which local contributions have been made, but not in this kind of case. I wish the RECORD to show that is the reason why the committee acted unanimously, as it did in connection with the report.

Mr. KENNEDY. I wish to say that the House did not have a chance to consider this matter. Therefore, there were no House hearings held, and the House bill did not contain this amendment. Therefore, if the Senate passes the bill and it goes to conference, this will be the only action Congress will have taken in approving or disapproving the amendment. Therefore, on my amendment I ask for the yeas and nays.

The yeas and nays were not ordered. The PRESIDING OFFICER (Mr. PORTER in the chair). The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. KENNEDY] for himself and the Senator from Illinois [Mr. DOUGLAS].

Mr. MARTIN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks—

The PRESIDING OFFICER. Does the Senator from Pennsylvania desire to have something printed in the RECORD that pertains to the amendment?

Mr. MARTIN. Yes. I yield myself 1 minute.

I ask unanimous consent to have printed in the RECORD a telegram from the Governor of New Jersey, a telegram from the Governor of Pennsylvania, a telegram from the mayor of Philadelphia, a telegram from the mayor of Camden, N. J., and a telegram from the mayor of the city of Trenton.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

TRENTON, N. J., August 12, 1954.

HON. EDWARD MARTIN,

United States Senator:

Deepening of Delaware River Channel from Philadelphia to Trenton vitally important to future development of Delaware Valley, United States of America. Urge immediate passage pending legislation.

ROBERT B. MEYNER,

Governor of New Jersey.

HARRISBURG, PA., August 11, 1954.

HON. EDWARD MARTIN,

United States Senate,

Washington, D. C.:

I understand that the Senate will start debate on the Delaware Channel deepening proposal today. Over the past several months you and I have frequently discussed the importance of action in this field. I want to reaffirm my position on the vital necessity for this action at the Federal level. Properly and traditionally channels are the responsibility of the Federal Government. This channel is vital to the interest of our 3-State area in the further industrial expansion along its 30-mile river front. Call upon the Commonwealth for any possible help we can afford you in the furtherance of this program.

JOHN S. FINE.

PHILADELPHIA, PA., August 5, 1954.

Senator EDWARD MARTIN,

Senate Office Building:

I have today sent the following telegram to the members of the House Public Works Committee: "Request your support of full authorization for channel dredging from Philadelphia to Trenton. Local contribution scheme proposed to finance part of this project is unprecedented in scope and would only delay or prevent completion of this essential improvement. The project, involving the regular Federal responsibility for navigable waters, is vital to the continued development of the Philadelphia area. The resulting productive capacity will be a big factor in national security."

JOSEPH S. CLARK, Jr.,

Mayor of Philadelphia.

PHILADELPHIA, PA., August 5, 1954.

EDWARD MARTIN,

Senate Office Building:

I hope the Senate will endorse the full authorization for Delaware River Channel dredging from Philadelphia to Trenton. The local contribution formula put forward as a way to finance this project is unprecedented in scope and cannot be relied upon for this essential improvement. This project fits in with the regular Federal responsibility for navigable waters and is very important in the continued development of productive capacity which will benefit not only the Philadelphia area but the entire Nation.

JOSEPH S. CLARK, Jr.,

Mayor.

CAMDEN, N. J., August 11, 1954.

HON. EDWARD MARTIN,

Senate Office Building:

Forty-foot channel in Delaware River important to States of New Jersey and Pennsylvania. Request your full support on this matter.

GEORGE E. BRUNNER,

Mayor, City of Camden.

TRENTON, N. J., August 11, 1954.

Senator EDWARD MARTIN:

The Delaware Valley is one of the most important manufacturing marketing and service areas of the world. Within a radius of 250 miles, 50 million people live, including approximately 14,300,000 families with an effective annual buying income estimated at more than \$70 billion. There is probably no better, more concentrated, or richer market in the world. Trenton may be considered as being in the center of this important business and industrial territory. As mayor of this city of Trenton, may I advise you that all the people of this area, regardless of political affiliation, feel that a deep water channel in the Delaware River between Trenton and Philadelphia is essential for their continuance and prosperity.

DONALD J. CONNELLY,

Mayor of the City of Trenton.

Mr. MARTIN. Mr. President, I yield 10 minutes to my colleague from Pennsylvania.

Mr. DUFF. Mr. President, I feel that the objection to the expenditure minimizes the importance of the great Port of Philadelphia. I have before me a map showing the course of the Delaware River from the Bay up to Trenton, near which the steel plant is located. From the course of the argument, it would seem that between Philadelphia and Trenton there was practically no development except that of the United States Steel Corporation. An analysis of the map will show that the distance from Philadelphia to where the United States Steel plant is located is almost half the distance along the Delaware

River from Philadelphia all the way down to the bay. It so happens that in this immediate area, in the neighborhood of the Port of Philadelphia, there are already 8,000 manufacturing plants of every description. Furthermore, there are underway plans for the construction of further large installations in addition to those of the steel plants.

As everyone who is familiar with the steel industry in this country knows, the National Steel Co. is one of the great producers of steel in America. As the senior Senator from Pennsylvania has pointed out, that company has already taken an option on 2,500 acres in the general area of where the United States Steel plant is located, unquestionably for the same reasons for which the United States Steel Corp. located there, namely, the accessibility of that area to the great fresh-water port of Philadelphia.

I am sure that any person acquainted with the terrain from Philadelphia to Trenton and from Philadelphia to the bay is aware of the fact that the territory from Philadelphia to the bay is one of the greatest industrial areas in all America. There is no reason whatever, except for the shallowness of the channel from Philadelphia to Trenton, why that upper area of the river which is almost half as great in extent as the area I have described, will not equal in every way in importance, from an industrial point of view, the area along the lower stretch of the river.

The Commonwealth of Pennsylvania, in recognition of the importance of the port, during the 8-year period when my distinguished colleague was Governor and when I followed him as Governor, expended almost \$30 million in State funds so that one of the tributaries of the Delaware would not silt into the Delaware and interfere with navigation to the great port of Philadelphia.

If our State was willing to expend \$30 million of its own funds for that purpose, that fact alone ought to show the appraisal that the people of Pennsylvania attach to the importance of the port of Philadelphia.

If the United States Steel Co. were to be the only company that ever would have an installation in that great area from Philadelphia to Trenton there might be some point to the argument that they ought to contribute. However, by virtue of the very character of the area, its importance to the defense of this country and the magnificent development that has already taken place below Philadelphia, which positively will repeat itself in the upper river area, the argument loses persuasiveness, because the depth of the channel is the only thing that has so far inhibited the upper river from great development. Based merely on a dollars-and-cents viewpoint, considering the new income which would be available to the Government in the way of taxes as a result of the development that would take place in the upper river, such as has taken place in the lower river, it would be one of the best investments the Government could make.

I am sure a visual view of the area in question, below and above Philadelphia, would convince anyone of the fact

that the channel alone is the one thing which has prevented the upper river from being developed in the manner in which the lower river has and the lower river is one of the greatest industrial areas of the world. Therefore, the United States Steel Co. should not be penalized for having the foresight to appreciate the value of this location in an area which, as my colleague pointed out, has within 100 miles 14 percent of the population of America, and within a radius of 300 miles, one-third of the whole population of America. By reason of fresh water facilities, location, and proximity to facilities and markets, and the fact that other factories will come into that area, as happened in the lower river, there is every reason to believe an equal amount of industry will come to the upper river once the channel is deepened.

Therefore, it would seem to me that, unless we were going to look only as far as the end of our noses, and if we are willing to take a look at the future, we must appreciate that this area in the region between Philadelphia and Trenton is bound to be one of the greatest industrial areas of America. The improvement under discussion will immediately contribute to that result and speed that day.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were not ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question is on agreeing to the amendment submitted by the Senator from Massachusetts [Mr. KENNEDY] for himself and the Senator from Illinois [Mr. DOUGLAS].

Mr. KENNEDY. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. McCARTHY], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote, the junior Senator from Wisconsin [Mr. McCARTHY] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the junior Senator from Wisconsin [Mr. McCARTHY] would vote "nay" and the Sen-

ator from Illinois [Mr. DOUGLAS] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Nevada [Mr. McCARRAN] are absent on official business.

The Senator from Virginia [Mr. BYRD], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that on this vote the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Wisconsin [Mr. McCARTHY]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Wisconsin would vote "nay."

I announce also that if present and voting, the Senator from Texas [Mr. DANIEL] would vote "yea."

The result was announced—yeas 21, nays 56, as follows:

#### YEAS—21

Anderson	Jackson	Mansfield
Fulbright	Johnson, Tex.	Monroney
Goldwater	Johnston, S. C.	Murray
Green	Kefauver	Pastore
Hennings	Kennedy	Russell
Hill	Kilgore	Smathers
Humphrey	Magnuson	Symington

#### NAYS—56

Aiken	Ferguson	Millikin
Barrett	Frear	Morse
Beall	George	Mundt
Bennett	Gillette	Neely
Bowring	Hendrickson	Payne
Bricker	Hickenlooper	Potter
Bush	Holland	Purtell
Butler	Ives	Reynolds
Carlson	Johnson, Colo.	Robertson
Case	Kerr	Saltonstall
Clements	Knowland	Schoeppel
Cooper	Kuchel	Smith, Maine
Cordon	Langer	Smith, N. J.
Crippa	Lehman	Stennis
Dirksen	Lennon	Thye
Duff	Long	Watkins
Dworshak	Malone	Williams
Ellender	Martin	Young
Ervin	McClellan	

#### NOT VOTING—19

Bridges	Eastland	McCarthy
Burke	Flanders	Sparkman
Byrd	Gore	Upton
Capehart	Hayden	Welker
Chavez	Jenner	Wiley
Daniel	Maybank	
Douglas	McCarran	

So the amendment offered by Mr. KENNEDY (for himself and Mr. DOUGLAS) was rejected.

Mr. MARTIN. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. BUSH. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

Mr. BUSH. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. POTTER in the chair). The bill is open to further amendment.

Mr. THYE. Mr. President, because the time was controlled I was unable to present the statement I had intended to make on the pending bill, House bill 9859. Because of my interest in the particular amendment which has just been rejected, and because of my interest in the entire overall development of rivers and harbors, I ask unanimous consent that a statement which I have prepared be printed in the body of the RECORD as a part of my remarks. This statement clearly sets forth my convictions on the amendment which has just been rejected.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR THYE

Two of the largest items in the bill (H. R. 9859) now pending to authorize construction, repair, and preservation of certain public works on rivers and harbors for navigation and flood control, are the authorizations of \$101 million for the inland waterway from the Delaware River to Chesapeake Bay, which was approved by the House of Representatives, and an item of \$91 million for enlarged channel improvements in the Delaware River between Philadelphia and Trenton, which is embodied in an amendment proposed by the Senate Committee on Public Works following the extensive hearings which that committee held with reference to all of these projects.

I intend to support the recommendations of the Public Works Committee with reference to these large authorizations because I believe that they are justified and the larger economic needs of the area to be served, and thus of the Nation as a whole, are such as to warrant this action.

It has been my feeling that we should consider these matters on the basis of the justification for them and the advantages and benefits that will result from such improvements.

It is only natural that the States immediately affected by such a large scale improvement program would have a primary interest in their development, but that interest is also the national interest.

Minnesota and the other upper Midwestern States have a primary interest in another important waterway development which is closely related to the St. Lawrence Seaway development project already authorized by Congress and approved by the President.

It is extremely important that in connection with the St. Lawrence Seaway there should be early authorization of the necessary public works to improve and deepen the upper channels of the Great Lakes for the full potential of this great development can only be realized if the project is carried out as a whole.

It is my hope that when the report of the Army engineers relative to the present survey being made as to the cost of the connecting channel in the upper Great Lakes is presented to Congress in the next session this improvement likewise will be authorized.

The Army engineers have advised me that the present study concerning the connecting channels in the upper Great Lakes will be completed by the district and division engineers about November 1, after which their recommendations will be submitted to the Board for Rivers and Harbors and subsequently to the Public Works Committees of Congress.

As a member of the Senate Committee on Appropriations, I was glad to have had a part last year in the recommendation of that committee that approximately \$150,000 be made available to the Corps of Engineers for the present survey of the connecting channels.



Although no information has been made available by the Army engineers relative to their reappraisal of the proposed 27-foot channel in the Great Lakes, it is anticipated that the cost will be approximately \$125 million for these improvements.

When the bill was introduced early last year to establish the St. Lawrence Seaway Development Corporation, I proposed an amendment to authorize an appropriation for such improvements as may be necessary to provide a deep waterway for navigation requiring a controlling channel depth of 27 feet through the Great Lakes connecting channels above Lake Erie, including the Detroit River, Lake St. Clair, St. Clair River, the Straits of Mackinac, and the St. Mary's River.

The proposed authorization of funds in this amendment was approximately the same as the estimate which had been made on the earlier survey of these channels.

It was proposed to spread the appropriation over a 5-year period as the engineers contemplated that it would require at least that length of time for the necessary planning, dredging, and construction.

It has always been my considered judgment that if the canal at the International Rapids section is built and the construction of the connecting channels in the upper Great Lakes is delayed or sidetracked this would result in injury to vital areas which have a great stake in this entire waterway and would retard and diminish the economic returns for a large segment of our people.

In supporting the St. Lawrence Seaway Development Corporation enactment, I did not press for the adoption of my amendment relating to the upper Great Lakes channels partly because I felt the bill then under consideration should be decided on its merits and also because I felt that Congress could act with greater understanding of the need if we had a new survey of the channel needs and a reappraisal of the specific requirements for that improvement.

I have always felt that even if no other part of the Great Lakes-St. Lawrence Seaway were ever undertaken, the deepening of the connecting channels in the upper Great Lakes would be essential and should be implemented at the earliest possible time for the full utilization of our greatest inland waterway.

It is obvious that to give lake ports on Huron, Superior, and Michigan the full benefit of the St. Lawrence Seaway, which we know now is assured, the present program must be supplemented by deepening the channels that connect those lakes.

Under present plans the seaway is to provide a depth of 27 feet, and the upper lake channels must be brought to at least that future seaway depth both because failure to do so would prevent the greatest potential use of the entire waterway and also because the many new vessels which have been added to the Great Lakes fleet have drafts which require the deepening of these connecting channels.

In other words, interlake traffic alone would require a deepening of these channels to 27 feet.

Iron ore, limestone, coal, petroleum, and grain are the chief commodities moved on the Great Lakes.

It has been estimated that the tonnage on the Great Lakes approximates our total foreign waterborne commerce.

On a ton-mileage basis, it exceeds that on our inland waterways by 3.3 times and that by our motortrucks by 1.6 times.

Larger ships now operating on the Great Lakes or being planned for construction are designed to handle some 24,000 tons of ore, which is equivalent to a freight train of 480 cars, with each car loaded to 50 tons.

I think it is interesting to note that in the historic consideration of the Great Lakes and St. Lawrence Seaway project, the Great Lakes system has always included the five

great Lakes of Superior, Michigan, Huron, Erie, and Ontario, and the connecting waters, including Lake St. Clair.

Deep waterway has been defined in all the agreements between the United States and Canada as meaning a controlling channel depth of 27 feet from the head of the Great Lakes to Montreal Harbor via the Great Lakes system and St. Lawrence River.

The upper channels have been considered essential links in the deep waterway.

What is involved so far as the national interest in this entire matter is concerned, is primarily the requirements in the shipment of iron ore.

Other important aspects involve shipments of grain, development of other low-cost freight shipment, and the working out of a balanced transportation system.

Improvement of the Great Lakes waterway system is an economic necessity for the future of the upper midwest areas and will be a resultant benefit to the entire country.

Mr. MILLIKIN. Mr. President, I offer an amendment which is at the desk, proposed by the senior Senator from Colorado [Mr. JOHNSON] and the junior Senator from Colorado, and ask to have it stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 34, between lines 21 and 22, it is proposed to insert the following:

The project for flood control and other purposes, on the Purgatoire (Picketwire) River, Colo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated July 22, 1954, at an estimated cost of \$17 million: *Provided*, That repayment of the first cost allocated to irrigation shall be made under the applicable Federal reclamation law.

Mr. MILLIKIN. Mr. President, the amendment proposed by the senior Senator from Colorado and myself to H. R. 9859 would authorize the Purgatoire River project substantially in accordance with the recommendations made by the Chief of Engineers, Department of the Army, in his report dated July 22, 1954.

The project contemplates the construction of a multiple-purpose reservoir about 4 miles above the city of Trinidad on the Purgatoire River. This project has been jointly planned by the Corps of Engineers and the Bureau of Reclamation, Department of Interior.

An earth-filled dam about 208 feet in height would be constructed. The reservoir would have a total storage capacity of 140,700 acre-feet of water apportioned as follows: Flood control, 46,700 acre-feet; conservation, 55,000 acre-feet; and sediment retention, 39,000 acre-feet.

The Purgatoire River project will provide flood protection for Trinidad, Colo., and nearby areas. I call attention to the serious floods which inundate large areas because there is not adequate control of the river at this time.

On July 23, 1954, the Purgatoire River overran its banks, endangering life and property. The river rose from 1.34 feet to 16 feet during the rainstorm and sheriff officers warned ranchers along the river south of La Junta and Las Animas to evacuate their homes.

I shall not read these newspaper clippings, but I ask unanimous consent that

they be inserted at this point in the RECORD.

There being no objection, the newspaper clippings were ordered to be printed in the RECORD, as follows:

[From the Denver Post of July 24, 1954]

#### UP TO 5 INCHES OF RAIN FLOODS SOUTHEAST AREAS

Parts of southeast Colorado along the Purgatoire River were digging out Saturday after cloudbursts in the preceding 48 hours dumped as much as 5 inches of rain in some locations.

Isolated for a time was Trinchera, 35 miles southeast of Trinidad, when floodwaters from the swollen Purgatoire washed out bridges along State Highway 55 both east and west of the small cattle community.

The swirling waters washed out sections of Colorado & Southern Railroad tracks in the region and work trains from Trinidad and Teline worked late Friday to repair the damage.

Heavy runoff flooded many homes in Trinchera and about 3 feet of water flowed through the railroad yard. Power lines and telephone service were disrupted for hours.

#### MILD FOR WEEKEND

All tributaries of the Arkansas River were reported running high, and some out of their banks, as flash floods followed cloudbursts late Friday. Many sections of low-lying highway were covered for a time, but all were reported back in service in that region by Saturday morning.

Weathermen in Denver forecast mild weekend temperatures and partly cloudy skies. The 5-day forecast for the metropolitan area calls for high temperatures around 90 degrees and a few afternoon or evening thundershowers through Wednesday. Nights will be comfortable at 55 to 60 degrees, the weather bureau said.

Colorado during the same period is expected to have temperatures near seasonal or slightly warmer, and scattered showers and thunderstorms.

[From the Fort Morgan Times of July 23, 1954]

#### PURGATOIRE RIVER OUT OF ITS BANKS

The Purgatoire River was running out of its banks Friday, endangering ranch properties and livestock, after cloudbursts swept over southern Colorado late Thursday. The storms centered in the Trinidad area.

Sheriff officers warned ranchers along the Purgatoire, also known as the Picketwire, south of La Junta and Las Animas to evacuate their houses and move their livestock to higher ground.

At Las Animas the Purgatoire was carrying 18,000 second feet of water with a higher crest expected late Friday. The river rose from 1.34 feet to 16 feet early Friday. Between Trinidad and Higbee, where the greatest danger to livestock occurred, the river was carrying 57,000 second feet of water.

The river measuring device at Higbee was washed downstream by the flood.

More rain was reported falling Friday east of Higbee and Caddo Creek. All tributaries to the Arkansas River in the area are high. More than 2 inches fell at Holly, near the Kansas line. Eads, 35 miles north, received only a drizzle.

The flood waters from the Purgatoire River will be impounded in the John Martin Reservoir, below Las Animas. The reservoir is dry at present.

The highway department reported the rains temporarily blocked several stretches of roads, but all were open Friday.

The storm damage centered at Trinchera, 35 miles southeast of here, several hundred yards of the Colorado & Southern Railway right-of-way were washed and trains were held at Trinidad and at points south of Trinchera until the tracks could be repaired.

Trinchera Creek overflowed its banks, inundating state 55 and the railroad tracks. At one time the water was 2 feet deep in the Trinchera depot.

Ranches in Frisco Canyon were reported damaged by heavy rainfall and overflowing creeks.

Rainfall at Trinidad totaled 1.42 inches. The recently dedicated Pinon Canyon Dam northwest of the city prevented damage to the northwest sections by controlling runoff. The Purgatoire River, which runs through Trinidad flowed within 2 feet of the top of its channel but there was no damage from it.

The rains brought small landslides onto the million-dollar highway—U. S. 550—between Ouray and the New Mexico border, closing the road briefly, the report said. It added it was still raining Friday in the area but the road was reopened.

U. S. 160 between Beshoar Junction and Kim, Colo., has up to 1 foot of water covering the road in several sections, the department said, although the road is still open.

Heavy rains washed out shoulders along State 61 north of Otis and State 51 north of Wray, with traffic moving slowing on both roads.

Mr. MILLIKIN. I am informed that on past occasions—and during this storm, too—flood damage has disrupted rail transportation when a rush of water has inundated or washed out sections of mainline tracks belonging to the Colorado & Southern Railway and the Santa Fe. These important western railroads connect Denver, Colo., and points within the State of Texas. I need not tell Senators what such a condition would mean during a period of emergency. There would be great disruption and delay of rail movements between the South and the Rocky Mountain area.

Construction of this project would result in benefits to the area through flood control and would make available an additional supply of irrigation water for thousands of acres within the project area. The need for irrigation water is keenly felt by those persons residing in areas with insufficient water. Water is the basic need of the agricultural economy of the area. This project, when completed, will supply the needed water, which will result in an expanded agricultural industrial community. I emphasize that existing storage and regulatory facilities on the Purgatoire River are inadequate for complete regulation of the available water supply to permit maximum crop utilization within the area.

The total first cost of the project is estimated to be \$17 million, with \$8,268,000 of this amount allocated to flood control, and \$8,732,000 allocated to irrigation. The cost of this project is small by comparison to the value of human life and property. I understand that each year the estimated cost of damage caused by floods in this area is \$226,700.

Local residents of the project area are interested in this project. They want the Trinidad Reservoir. They will repay to the Federal Government that portion of the estimated cost which is chargeable to irrigation. Their share will be \$8,732,000 of the total estimated first cost of \$17 million.

I ask for favorable consideration of this project, and for approval of this amendment.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. BUSH. My recollection on this point is that the project which the Senator proposes has a favorable cost-to-benefit ratio, but at the time the committee acted it did not have a report from the Bureau of the Budget or the Army engineers. For that reason the committee did not take action on the project. The committee thought the Senator from Colorado made an excellent argument in favor of the project.

Mr. MILLIKIN. I thank the distinguished Senator for the very friendly consideration which was given the project.

Mr. CARLSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kansas?

Mr. MILLIKIN. I yield.

Mr. CARLSON. I wish to ask the distinguished Senator from Colorado if the Purgatoire River is not a tributary of the Arkansas River, which flows through our State?

Mr. MILLIKIN. The Purgatoire River is a tributary of the Arkansas River, which flows through our two States and is subject to a compact between the States of Colorado and Kansas. The compact prohibits any violation of its terms, and its terms would not be violated by the proposed action.

Mr. CARLSON. Mr. President, if the Senator will yield, I should like to assure him that we do not oppose the project, but I wish the record to show that Kansas has a direct interest in the proposed project. In view of the statement made by the Senator from Colorado, that the compact between the States of Colorado and Kansas will prevail, and that we shall be given consideration in connection with the amount of water to be stored in the reservoir, I shall not object. However, I think the RECORD should show that the Governor of Kansas was asked for his views on the project by the Corps of Army engineers, and in a letter to the engineers he opposed the project. If the distinguished Senator will permit me to do so, I should like to read an excerpt from the Governor's letter.

Mr. MILLIKIN. Certainly.

Mr. CARLSON. I shall read only the concluding paragraph of the letter written by Governor Arn concerning the Purgatoire River project.

Even the most conservative estimate indicates an increased depletion of Purgatoire River water. It is our conclusion that the operation of this project would, at times, materially deplete the water supply which would otherwise be available to Kansas water users through the John Martin Reservoir. Under these conditions, the State of Kansas at this time is opposed to the project as proposed.

Mr. MILLIKIN. Mr. President, I believe my colleague will consent to the modification of the amendment so as to make it clear that the project will not be operated in any way which would interfere with the compact. I do not think such an amendment is necessary, because the language is already clear, to

the effect that the compact must be complied with.

Mr. CARLSON. I am pleased to accept the statement of the distinguished Senator from Colorado. However, the people of Kansas might feel a little less uneasy if such an amendment were added to the bill.

Mr. MILLIKIN. Mr. President, I send to the desk a modification of the pending amendment and ask that it be stated. I offer the amendment on behalf of myself and my colleague as a modification of the pending amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. At the end of line 7 of the original amendment it is proposed to add the following:

In the operation and maintenance of the facilities of this project authorized by this act, under the jurisdiction and supervision of the Secretary of the Army and the Secretary of the Interior, in the Purgatoire River Basin, such officers are directed to comply with the applicable provisions of the Arkansas River compact (63 Stat. 145).

The PRESIDING OFFICER. Does the Senator modify his amendment accordingly?

Mr. MILLIKIN. I do.

The PRESIDING OFFICER. The Senator's amendment is modified accordingly.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. AIKEN. Will the Senator from Colorado tell us whether the proposed reservoir would cover up any places where dinosaurs once walked? If that were so, of course we should not approve the project.

Mr. MILLIKIN. Unhappily the dinosaurs did not leave any of their bones around there.

Mr. AIKEN. Can the Senator assure us that dinosaurs did not walk through that part of his State?

Mr. MILLIKIN. I do not know of any evidence to that effect.

Mr. AIKEN. If the Senator states that all kinds of animal life wandered through there in prehistoric times, he may be prejudicing his case.

Mr. MILLIKIN. No claim is made that any dinosaurs or brontosaurus or any similar animals ever wandered through that part of Colorado. I would have to look up the facts before I could accurately answer the Senator's question, but I am perfectly willing to let my troubles rest as they are.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. THYE. I have some telegrams in my hand, and I wonder whether they refer to the pending amendment or to the pending legislative proposal. The first telegram reads:

ST. PAUL, MINN., August 16, 1954.  
Senator EDWARD J. THYE,  
Senate Office Building,  
Washington, D. C.:  
Minnesota Conservation Federation urges blocking of move to add upper Colorado



storage project as rider to omnibus flood-control bill. This project highly controversial from economic and national park invasion standpoint. Needs extension hearings and revision. We urge holding it for next Congress for adequate discussion on its own merits.

CLIFF SAKRY,  
Executive Secretary, Minnesota  
Conservation Federation.

Mr. THYE. The other telegram reads as follows:

ST. PAUL, MINN., August 16, 1954

Senator EDWARD J. THYE,  
Senate Office Building,  
Washington, D. C.:

Am advised upper Colorado storage project may become rider to omnibus flood-control bill. Sincerely hope you can block such move. Features of upper Colorado project too controversial from economic standpoint alone to be authorized in this manner. Needs extensive hearings and modifications to make it sound.

THOMAS R. EVANS.

Mr. THYE. Do those telegrams refer to the question before the Senate?

Mr. MILLIKIN. Mr. President, I ask the Senator not to have those telegrams placed in the RECORD. The project under consideration has nothing to do with the Upper Colorado River. The telegrams refer to a matter on the other side of the Continental Divide, and to an entirely different stream system. We are concerned with the Arkansas River Basin. The two stream systems are divided by the Continental Divide. I suggest that the Senator not put those telegrams in the RECORD, because they would reflect on our geographical knowledge of the State of Colorado.

Mr. THYE. We in Minnesota are not acquainted with all the Rocky Mountains. In order that the RECORD may be clear, and in order that I may not be derelict in my responsibilities and duties, I ask whether the matters referred to in the telegrams refer to the project in question.

Mr. MILLIKIN. Not in the slightest, remotest, or microscopic degree.

Mr. THYE. Then the question has been answered, and the telegrams have been answered. That is all I wanted to know.

Mr. MILLIKIN. I urge the distinguished Senator from Minnesota to ask his constituents to take a look at the geography of Colorado and to spend some part of the summer out there, where they can learn about this river system.

Mr. THYE. I would not encourage them to do so. If they are to spend any time away from home, I should prefer to have them spend it in northern Minnesota.

Mr. MILLIKIN. I do not blame them for that at all. I have been there myself.

Colorado is 1 mile nearer to heaven than most of the rest of the country. Some sinners—not around here, of course—will need that extra mile.

Mr. THYE. Mr. President, will the Senator yield further?

Mr. MILLIKIN. I yield.

Mr. THYE. If the Senator will yield further, I am happy to have brought up the question, because my question was answered properly. On the other hand, I regret having brought it up, because it produced a chamber of commerce speech

by the distinguished Senator from Colorado.

Mr. MILLIKIN. The Senator from Minnesota ought to hear a real chamber of commerce man from Colorado.

Mr. SCHOEPEL. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. I yield.

Mr. SCHOEPEL. I should like to ask the distinguished Senator from Colorado if there is anything in the report on this question? Is there any indication as to how much water would be diverted from the Arkansas River by this project? Is it any considerable amount?

Mr. MILLIKIN. I believe the project can be operated so that no water will be diverted from the Arkansas River. We have changed our amendment specifically—

Mr. SCHOEPEL. I appreciate that, but I was wondering if there was anything in the report with reference to it.

Mr. MILLIKIN. Mr. President, I should like to yield a moment or two to my neighbor from New Mexico [Mr. CHAVEZ].

Mr. CHAVEZ. Mr. President, I agree with my neighbor from the State of Colorado. I think the project which he has in mind has a great deal of merit.

What I wish to emphasize is that many people do not know the history of Colorado and New Mexico. Four hundred years ago, in the home State of the Senator from Colorado, around Pueblo, there was a land grant by Philip II of Spain involving a large piece of real estate.

Mr. MILLIKIN. That is correct.

Mr. CHAVEZ. History was being made there many years ago. It is not realized that in Colorado, New Mexico, Nevada, or Arizona, a small amount of water means much to us. In the East people want to get rid of water. Out West we want to save what little there is. Whether the water be in Colorado or anywhere else out there, I think we should all realize that it is the lifeblood of the people of the West.

Mr. MILLIKIN. I appreciate the Senator's contribution.

Mr. President, I should like to yield at this time to the distinguished senior Senator from Colorado.

The PRESIDING OFFICER. The time is controlled by the junior Senator from Colorado and the senior Senator from Pennsylvania.

Mr. MILLIKIN. Mr. President, will the Senator from Pennsylvania yield some time to the senior Senator from Colorado?

Mr. MARTIN. Does not the junior Senator from Colorado have time remaining?

Mr. MILLIKIN. I have no time left.

Mr. MARTIN. I yield 2 minutes to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I think it would be a great mistake to adopt this amendment in the race for adjournment. The problem was before the Public Works Committee where it was given very fair consideration, and the proposal was turned down. The cost-to-benefit ratio is exceedingly high. The project has not been fully cleared by all the departments involved.

I think a remarkably fine job has been done by the Public Works Committee in bringing the bill before the Senate. I think it is a very fair bill, and I think great credit is due the Senator from Pennsylvania [Mr. MARTIN], the Senator from Connecticut [Mr. BUSH], the subcommittee, and the full committee, under their respective chairmanships. I think the project can well go over until January, when the Senators from Colorado and other interested Senators can try to convince the committee.

I hope the Senate will support the Public Works Committee and not approve this amendment.

Mr. MARTIN. Mr. President, I yield 3 minutes to the Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. Mr. President, I oppose this project with great regret. My first reason for opposing it is this: This is a substitute project for one which was already authorized, which had a large public benefit-to-cost ratio and which would have cost only about a million dollars. The present estimated cost is something over \$2 million. It is a flood-control project channelized through the city of Trinidad, Colo. The substitution of the \$17 million project itself offers a serious problem.

The second reason is that the committee requested the opinion of the Budget Bureau and was unable to get an approving opinion. One of the reasons was that the Bureau of the Budget had not received an answer from the Governor of Kansas which State was involved in the compact with Colorado.

The third reason is that when the Governor of Kansas acted, he acted unfavorably to the project.

I am completely willing to reconsider the matter on later hearings, and I hope we can get it into such shape that we can approve it at a later date. It was with regret that I felt I could not approve it when it was before our committee.

It seems to me that if we are going to proceed in an orderly fashion, when the committee finds itself confronted with almost insuperable obstacles, as it did, and turns the project down with great regret after having a most able exposition of the situation by the distinguished Senators from Colorado, the committee should stand its ground, because otherwise we are likely to be accused of having passed pork-barrel legislation.

I hope, for the three reasons I have indicated, and for the additional reason that the benefit-to-cost ratio is only 1.07, that we will allow this matter to be further studied by a sympathetic committee which hopes it can act favorably on it at some future date.

Mr. JOHNSON of Colorado. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. JOHNSON of Colorado. The junior Senator from Colorado offered two amendments. Does he not have time on each of those amendments?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Colorado. Mr. President, will my colleague yield me 5 minutes?

Mr. MILLIKIN. Mr. President, I yield the senior Senator from Colorado 5 minutes.

Mr. JOHNSON of Colorado. Mr. President, the project which we have proposed tonight is one which has been studied very carefully by the Army Engineers and by the Bureau of Reclamation. There was some argument about improving the channel of the river through the city of Trinidad. That would have cost less money, but, Mr. President, as the Senator from New Mexico [Mr. CHAVEZ] has pointed out, water is very precious in that arid part of the West and in the area about which we are speaking tonight. We cannot afford to widen the channel and let that water go on down the river. We want to conserve it to the greatest possible extent.

Half of this project is for flood control, and half of it is for reclamation. Half of the cost will be repaid to the Treasury of the United States, and half of it, of course, is dedicated to flood control.

The Army engineers reported the project on July 22, and, strangely enough, a flood occurred on July 23, the day following their report. There have been many floods in the past; in fact, they occur possibly two or three times a year, and some of those floods have cost a considerable amount of money because they do great damage to the city of Trinidad.

This is not pork-barrel legislation; it is an investment in America. America is worthy of that kind of investment. America is what she is today because of such investments. This project would be an investment in America. Half of the investment would be repaid in different ways by citizens of Colorado, who are subject to the floods.

The question was asked by the Senator from Kansas [Mr. SCHOEPP] whether any water would be diverted from the Arkansas River Basin by the project. The answer is that not one drop would be diverted from the Arkansas Basin. The rights of Kansas are protected, as my colleague has said, by the compact which has been entered into between Kansas and Colorado and ratified by Congress. Congress has no power or authority to pass any laws to take, use, or allocate any of that water which are not in accord with that very sacred treaty—which is what it is—between the States of Kansas and Colorado. That matter has been taken care of by the amendment which has been proposed and which, I understand, was accepted as a perfecting amendment to the original amendment which was offered.

I sincerely hope the very able chairman of the committee, the distinguished Senator from Pennsylvania [Mr. MARTIN] will find it possible to take the proposed amendment to conference, because this proposal is one of very great merit. I doubt whether there are any projects in the whole bill which equal this project so far as merit is concerned.

The Senator from Florida [Mr. HOLLAND] said that to adopt this amendment would cause the Senate to be ac-

cused of pork barrel legislation. I have glanced through the bill and have noticed that 37 States of the Union and 2 Territories are receiving projects and benefits in the bill. That is not pork barrel legislation. I believe that every one of the projects in the 37 States and 2 Territories is an investment in the United States of America. They are all good investments, which will repay to the Treasury many times their cost.

I hope the Senators in charge of the bill will find it within their hearts and consciences to take the amendment to conference.

Mr. CHAVEZ. Mr. President, will the Senator from Pennsylvania yield me 3 minutes?

Mr. MARTIN. I yield 3 minutes to the Senator from New Mexico.

Mr. CHAVEZ. There is no one to whom I am more devoted or whom I admire more than I do the two Senators from Colorado. Notwithstanding his Republicanism, I still have the greatest respect for the distinguished junior Senator from Colorado [Mr. MILLIKIN]. I know of the devotion of the distinguished senior Senator from Colorado [Mr. JOHNSON] to the people of his State.

If there is one particular area that I know about, next to New Mexico, it is the area around Trinidad, about which the Senators from Colorado have been speaking. But, after all, we owe a duty to the chairmen of our committees. I think the amendment has much merit, but it should not be included in this bill. I believe it should be discussed further. The committee went through the list of public works, in order, after 4 years, to try to draft a good bill. It is true that the bill contains projects for 37 States. Why not? Why not have projects in Massachusetts, Oregon, Colorado, or New Mexico? But I think we are duty bound to be fair with the chairman of the Committee on Public Works, who worked hard and patiently for many months in order to report a good bill, and we should support him.

I should like to join with my two colleagues from Colorado, because I know the river. I walked that river probably before they were even in Colorado. The project which they are seeking has much merit, but it does not belong in this bill. I want to help them. If they will introduce a bill making this a separate project, and hearings are held on it, I believe the necessity of constructing it can be proved to Congress. But in this particular instance, I think the Committee on Public Works should be sustained.

Mr. MILLIKIN. Mr. President, will the Senator yield 1 minute to me?

Mr. MARTIN. I yield 1 minute to the Senator from Colorado.

Mr. MILLIKIN. Perhaps I should have said more about the conditions in the particular area of the project. Trinidad once was a great coal-producing region. The coal business has disappeared there. People are out of work. The community is in a poor condition. Floods recur from time to time, and the industry is unable to function. The floods are tearing up the town and tearing up the good land outside of the town.

There is not time to make a long study. This is not a new project. Various

phases of the project have been before Congress for a long time.

The people in that region are being afflicted with floods. The basic industry of the region is demoralized, and the land is being washed out as a result of floods. The people cannot wait. Let us help them by getting the project started while there is time to do some good.

Mr. BUSH. Mr. President, will the Senator yield 2 minutes to me?

Mr. MARTIN. I yield 2 minutes to the Senator from Connecticut.

Mr. BUSH. I feel very unhappy about this situation, because the two highly distinguished Senators from Colorado have made such a strong appeal for the adoption of their amendment. I have no doubt in my mind that they speak with the greatest sincerity when they say that the improvement is needed by the people in that region.

But I am bound to support the comments of the distinguished Senator from New Mexico [Mr. CHAVEZ] and the distinguished Senator from Florida [Mr. HOLLAND]. I am the one who proposed to the committee that the bill should include projects with respect to which the committee did not have favorable reports from the Corps of Army Engineers and the Bureau of the Budget. We do not have such reports yet on this particular project. As chairman of the subcommittee, having asked the committee to adopt such a policy, I find myself in a most unenviable position—nevertheless, one in which I must recommend that the amendment not be adopted.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. JOHNSON of Colorado. Did not an Army officer attend the hearings on the bill, and did he not indicate that the Corps of Engineers had approved the project? As I recall, an Army engineer appeared and testified with respect to the bill. He testified at length and answered all the questions of the committee.

I am certain the Army engineers have recommended the project. The Army sent its recommendations to the committee on July 22. Therefore, I am certain that, at long last, the project has been recommended.

Mr. BUSH. The comment of the Senator is that an Army engineer told him that a report had been filed by the Bureau of the Budget. We do not have the report.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the junior Senator from Colorado [Mr. MILLIKIN] for himself and the senior Senator from Colorado [Mr. JOHNSON]. [Putting the question.]

Mr. MILLIKIN. Mr. President, I ask for a division.

On a division, the amendment, as modified, was rejected.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The bill is open to further amendment.

Mr. COOPER. Mr. President, I offer an amendment, which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment.



The LEGISLATIVE CLERK. On page 20, after line 19, it is proposed to insert:

Big Sandy River and Tug and Levisa Forks in Kentucky, West Virginia, and Virginia.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR COOPER

The purpose of the amendment which I offer for myself and my colleague, Senator CLEMENTS, is to direct the Corps of Engineers to make an examination and survey of the Big Sandy River and its Tug and Levisa Forks in Kentucky and West Virginia and Virginia, and to review its latest report dated March 15, 1950, with a view to revising the estimated costs and benefits contained in the report, to reflect present conditions. It is our desire that the Corps of Engineers will not be required to restrict itself to its recommendation contained in this latest report for the development of these rivers, but will seek such a plan of development as will be appropriate for navigation, flood control, and power development as will meet the demands of the area and be economically feasible.

On January 9, 1953, I introduced for myself and my colleague, Senator CLEMENTS, a bill (S. 279) to authorize the construction of public works for navigation, flood control and power development on the Big Sandy and its tributaries. It would have effectively canalized the Big Sandy River.

In 1953, hearings were held by a subcommittee of the Senate Committee on Public Works, under the chairmanship of the distinguished Senator from Connecticut, Senator BUSH. Many people representing business, agriculture and labor of the area testified before the committee in favor of the approval of S. 279. At the hearing the representatives of the Corps of Engineers testified that their last report dated March 15, 1950, showed that the benefits that would be derived from the improvements on the Big Sandy would not equal the costs of its development and that under their policy they recommended against the construction of locks and dams on the rivers.

Later, Senator CLEMENTS and I appeared before the Senate Committee on Public Works and asked that our bill be approved by the committee and that the authorization of the new locks and dams on the Big Sandy and its forks be included in H. R. 9859, which is now before us. The committee gave us a very full hearing, but stated that because of the unfavorable report of the Corps of Engineers they could not under their policy include it in the pending bill. The committee suggested that an authorization should be obtained to direct the Corps of Engineers to make a new examination to see if new factors and conditions had changed the cost-benefit ratio. That is the purpose of our amendment.

I point out to the Senate that in 1948 the Corps of Engineers reported that the benefits from this project would exceed the cost, but in 1952 the cost of the project had increased from approximately \$85 million to over \$161 million. We submit that this increase in cost arose chiefly from the inflationary price advances caused by the Korean war.

We suggest that the following factors, among others, ought to be considered now by the Corps of Engineers:

1. That a reduction in cost of materials and other factors connected with construction, has occurred since the close of the Korean war.

2. There may be a reduction of cost in the project due to the approved construction of a high-level dam on the Ohio River near Greenup, Ky. The Congress has just ap-

propriated funds to begin the construction of this dam. This dam will back water up the Big Sandy almost to the second lock and dam and will thus begin its canalization. This should reduce the total cost of the Big Sandy project.

3. Additional benefits have occurred since the submission of the last report to the Congress. Among them I name the following:

Several steam plants are now in construction along the Ohio River to supply the atomic energy plants at Paducah, Ky., and Piketon, Ohio. This will undoubtedly provide a larger market for coal from the Big Sandy Valley.

Also, rail freight rates have increased measurably in the last several years and the cheaper water transportation should be considered in the estimates of benefits.

There are other factors, of course, to be considered, but I name these as examples. Previously, at my request, the Corps of Engineers has been directed to make a survey of reservoir sites on the Big Sandy and its tributaries for the purpose of selecting a site which is economically feasible. Authorizations for reservoirs had been made under the act of 1938 and later, but had been found by the Corps of Engineers to have an unfavorable cost-benefit ratio, and nothing had been done to survey other sites. Now the Corps of Engineers has been directed to review, for the purpose of determining a site which will be justified under the cost-benefit ratio rule, so that we may go ahead with requests for appropriations for reservoirs.

The Big Sandy Valley holds a store of great resources in coal, timber, gas and oil, and other products unmatched in the Nation. These products cannot flow to the market as they should without cheaper transportation. The development and canalization of the Big Sandy Valley will provide cheaper navigation, flood control, reservoirs, and volume of water in the river for industry and recreation. My colleague, Senator CLEMENTS, and I submit this amendment so that the Corps of Engineers will immediately make this survey in order that my colleague and I may present these new factors which I have mentioned to the Senate at an early date, so that this great project may be favorably considered and approved. I move the adoption of our amendment.

Mr. COOPER. Mr. President, I understand the Senator from Pennsylvania is willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. COOPER].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

If present and voting, the senior Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], the junior Senator from New Hampshire [Mr. UPTON], and the Senator from Idaho [Mr. WELKER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

The Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that if present and voting, the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Alabama [Mr. SPARKMAN] would each vote "yea."

The result was announced—yeas 77, nays 2, as follows:

#### YEAS—77

Alken	Goldwater	Martin
Anderson	Green	McCarran
Barrett	Hendrickson	McClellan
Beall	Hennings	Millikin
Bennett	Hickenlooper	Monroney
Bowling	Hill	Morse
Bricker	Holland	Mundt
Bush	Humphrey	Murray
Butler	Ives	Neely
Carlson	Jackson	Pastore
Case	Johnson, Colo.	Payne
Chavez	Johnson, Tex.	Potter
Clements	Johnston, S. C.	Purtell
Cooper	Kefauver	Reynolds
Cordon	Kennedy	Saltonstall
Crippa	Kerr	Schoeppel
Dirksen	Kilgore	Smathers
Duff	Knowland	Smith, Maine
Dworshak	Kuchel	Smith, N. J.
Ellender	Langer	Stennis
Ervin	Lehman	Symington
Ferguson	Lennon	Thye
Frear	Long	Watkins
Fulbright	Magnuson	Williams
George	Malone	Young
Gillette	Mansfield	

#### NAYS—2

Robertson	Russell
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#### NOT VOTING—17

Bridges	Eastland	McCarthy
Burke	Flanders	Sparkman
Byrd	Gore	Upton
Capehart	Hayden	Welker
Daniel	Jenner	Wiley
Douglas	Maybank	

So the bill (H. R. 9859) was passed.

Mr. MARTIN. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. HUMPHREY in the chair) appointed Mr. MARTIN, Mr. CASE, Mr. BUSH, Mr. CHAVEZ, and Mr. HOLLAND conferees on the part of the Senate.

Mr. MARTIN. Mr. President, I ask unanimous consent that the bill be printed with the Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARTIN. Mr. President, I also ask unanimous consent that the clerks be authorized to make any technical and typographical corrections which may be found necessary in the bill, as passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. GOLDWATER, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate this evening.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had disagreed to the amendments of the Senate to the amendments of the House to the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. REED of Illinois, Mr. GRAHAM, Mr. HYDE, Mr. CELLER, and Mr. WALTER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9680) to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes.

The message further announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9936) making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 5, 6, 9, 10, 11, 12, 13, 14, 15, 21, 34, 54, 55, 59, 72, 73, 93, 103, 105, 113, 114, 126, 152, 159, and 169 to the bill, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 27, 30, 31, 38, 39, 40, 46, 49, 52, 56, 61, 62, 71½, 74, 79, 85, 86, 88, 89, 91, 99, 100,

104, 110, 115, 116, 119, 122, 127, 128, 129, 132, 134, 136, 147, 148, 151, 154, 155, 164, 168, and 187 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted on its disagreement to the amendments of the Senate numbered 60, 71, and 130.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session.

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting the nomination of Herbert Hoover, Jr., of California, to be Under Secretary of State, which was referred to the Committee on Foreign Relations.

#### FRINGE EMPLOYMENT BENEFITS FOR FEDERAL EMPLOYEES—CON- FERENCE REPORT

Mr. KNOWLAND. Mr. President, the distinguished Senator from Kansas [Mr. CARLSON] has ready for submission a conference report which I understand has been agreed to by all the conferees. The distinguished ranking minority member of the committee is present at this time. The presentation of this matter has been postponed until now, in order that both those Senators might be present.

Mr. CARLSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 18, 1954, pp. 15029-15033, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CARLSON. Mr. President, this conference report is on what is known as the fringe employment benefits bill. The conference report is a unanimous report on the part of all the conferees, and it is signed by all the conferees for both the House and the Senate.

The report makes only a few changes. Generally speaking, the Senate version of the bill is approved. On 2 or 3 occasions the Senate voted for repeal of the so-called Whitten rider. The conferees agreed to a rewriting of the Whitten rider. It was rewritten on a basis that had at least the consent and approval of

the Civil Service Commission. In other words, the Commission had not changed its view that it wished the rider repealed, but said it could live under the provisions the conferees adopted.

The conference report makes 1 or 2 changes in the provisions regarding overtime pay. It provides for full time and one-half through the minimum rate for grade 9.

Mr. President, let me say by way of summary of the conference report that the Senate version of the bill provided for full time and one-half overtime pay up through the maximum rate for grade 9. The conference agreement provides for full time and one-half through the minimum rate for grade 9.

The Senate version provided that overtime pay could not be less than straight time. The conference agreement omits this provision.

The Senate version excluded fire fighters from the category of employees who may be paid 25-percent premium compensation in lieu of overtime pay for irregular overtime. The conference agreement eliminates this exclusion.

The Senate version contained no limit on incentive awards payable under the bill. The conferees added a \$5,000 limit generally, with a provision under which awards up to \$25,000 could be made with the approval of the Civil Service Commission in special cases.

The Senate version provided that up to \$100 per annum could be paid to employees required to wear uniforms, to assist in defraying the cost of acquisition or upkeep of their uniforms. The conference agreement eliminates reference to upkeep; and also provides that the head of the department may furnish uniforms in lieu of paying the uniform allowance.

The Senate version repealed the Whitten rider. The conference agreement modifies, but does not repeal, this provision. Under the modification, permanent appointments could be made up to 10 percent above the total number of employees employed on September 1, 1950. In addition, it authorizes permanent reinstatements and promotions.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

#### FAMILY QUARTERS FOR PERSON- NEL OF MILITARY DEPART- MENTS—CONFERENCE REPORT

Mr. KNOWLAND. Mr. President, the Senator from South Dakota [Mr. CASE] is prepared to submit the conference report on House bill 9924, relating to military family housing.

Mr. CASE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes. I ask unanimous consent for the present consideration of the report.



The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 18, 1954.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CASE. Mr. President—

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE. I yield.

Mr. KNOWLAND. The conference report is signed by all the conferees; is it not?

Mr. CASE. Yes; the report is signed by all the conferees on behalf of both the House and the Senate.

There was only one principal item of controversy or discussion in the conference, and it related to the amount of foreign currencies which might be used in the acquisition of housing overseas. In the conference report, the amount of foreign currencies which may be used for the procurement of military housing overseas is reduced from \$75 million to \$25 million. Some of the conferees felt that since this was an experimental program or at least a new departure, the smaller amount should be used initially.

Furthermore, the language agreed to by the conferees authorizes the transfer of unexpended balances of appropriations for quarters allowances to the Commodity Credit Corporation in an amount equivalent to the dollar value of foreign currencies used in any fiscal year.

Mr. President, I ask unanimous consent that a statement I have prepared on the conference report be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR CASE

H. R. 9924 TO PROVIDE FOR FAMILY QUARTERS FOR MILITARY PERSONNEL AND THEIR DEPENDENTS

The principal item on which the Houses disagreed was the Senate provision authorizing the Secretary of Defense to procure family housing in foreign countries in the amount of \$75 million by using foreign currencies acquired through the sale of surplus agricultural commodities as authorized by the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.).

Paragraph 3 of section 407 of the Senate bill provided that appropriations for quarters allowances for personnel occupying family housing procured in this manner would be available for reimbursement to the Commodity Credit Corporation in an amount equivalent to the dollar value of the foreign currencies used. This provision contemplated an annual transfer of appropriations that otherwise would be available for the payment of quarters allowances to personnel occupying the housing until the Commodity Credit Corporation had received full reimbursement for the currencies that had been acquired by the sale of surplus agricultural commodities from the stocks of the Commodity Credit Corporation.

The House position was that there should be authority for the Commodity Credit Corporation to be reimbursed within the pe-

riod of the fiscal year in which the foreign currencies were used for the procurement of housing in an amount equivalent to the total dollar value of the currencies used.

The language agreed to in conference authorizes the transfer of unexpended balances of appropriations for quarters allowances to the Commodity Credit Corporation in an amount equivalent to the dollar value of foreign currencies used in any fiscal year. The extent of the authority for the procurement of family housing in foreign countries through the use of funds acquired by the sale of surplus agricultural commodities was reduced from \$75 million to \$25 million.

The compromise language relative to the reimbursement of the Commodity Credit Corporation presupposes the existence of unexpended balances of appropriations for quarters allowances. Since the extent of the monetary authorization for this purpose was reduced to \$25 million, the conferees have reason to believe that unexpended balances in this amount will be available for the purpose of reimbursement in full to the Commodity Credit Corporation.

If this method of procuring family housing in foreign countries proves feasible, and the Congress in future years should decide to expand this authority, the subject of reimbursing the Commodity Credit Corporation for commodities used in generating foreign currencies can be reexamined at that time.

I should like to say that the Senate conferees are no less desirous than their counterparts in the House that the Commodity Credit Corporation shall not be unfairly charged with the cost of military housing. I believe that the language agreed to by the conferees is a satisfactory solution of the problem of Commodity Credit Corporation reimbursement, at least for the authority contained in this act, and I move the adoption of the conference report.

Mr. CASE. Mr. President, I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

#### INVESTIGATION OF CERTAIN OFFENSES BY ATTORNEY GENERAL

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2308) to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes, which were, on page 1, line 9, strike out all after "Code", over through "States)" in line 1, page 2, and on page 2, line 12, after "complaint", insert "Provided, That, the provisions of this section shall not limit, in any way, the existing authority of the military departments to investigate persons or offenses over which the Armed Forces have jurisdiction under the Uniform Code of Military Justice: *Provided further*, That the provisions of this section shall not limit, in any way, the primary authority of the Postmaster General to investigate postal offenses."

Mr. WILLIAMS. Mr. President, this bill was amended by the House of Representatives in order to take care of a question raised by the Department of the Army in order to safeguard its right to have certain investigations made in the Defense Department. The amendment has been cleared with the Department of Justice, and is in complete agreement with the spirit of the bill, as introduced.

Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### EXTENSION AND AMENDMENT OF RENEGOTIATION ACT OF 1951

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 644, House bill 6287, to extend and amend the Renegotiation Act of 1951.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951, which had been reported from the Committee on Finance with amendments, and on which additional amendments had been reported by the Finance Committee on May 18, 1954.

Mr. JOHNSON of Texas. Mr. President, I submit and send to the desk, on behalf of the majority leader and myself, a proposed unanimous-consent agreement regarding the time available for the consideration of this bill and the amendments thereto.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read.

The legislative clerk read as follows:

*Ordered*, That during the further consideration of Calendar No. 644, House bill 6287, an act to extend and amend the Renegotiation Act of 1951, debate on any amendment or motion (including appeals) shall be limited to not exceeding one-half hour, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from Colorado [Mr. MILLIKIN] in the event he is opposed to any such amendment or motion; otherwise, by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding one hour, to be equally divided and controlled, respectively, by the Senator from Colorado [Mr. MILLIKIN] and the Senator from Texas [Mr. JOHNSON].

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? Without objection, it is agreed to.

The Chair recognizes the Senator from Colorado. Will the Senator from Colorado state how much time he desires to yield?

Mr. MILLIKIN. I shall now present my opening statement. We have not reached the question of amendments. What time have I?

The PRESIDING OFFICER. There is a time limit on the bill.

Mr. MILLIKIN. I yield myself 10 minutes on the bill.

The PRESIDING OFFICER. The Senator may have whatever time he wishes.

Mr. MILLIKIN. On May 19, 1954, the Committee on Finance reported additional amendments to the bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951. I move that the previous committee amendments and the additional amendments be agreed to en bloc and made a part of the bill, as though it were a clean copy, and that the bill then be subject to further amendment.

The PRESIDING OFFICER. Without objection, the committee amendments will be agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 1, after line 5, to insert:

"SEC. 2. (a) Section 105 (f) (1) of such act is amended by striking out '\$250,000' wherever it appears therein and inserting in lieu thereof the following: '\$250,000, in the case of a fiscal year ending before June 30, 1953, or \$500,000 in the case of a fiscal year ending on or after June 30, 1953.'

"(b) Section 105 (f) (3) of such act is amended by inserting in the second sentence thereof, after 'the \$250,000 amount' the following: ', the \$500,000 amount.'

On page 2, line 3, to change the section number from "2" to "3"; in line 24, to change the section number from "3" to "4."

On page 3, after line 14, to strike out:

"SEC. 4. Section 106 (d) of such act is hereby amended by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon, and by inserting after paragraph (5) the following new paragraph:

"(6) any contract or subcontract for the making or furnishing of a standard commercial article, if, in the opinion of the Board, competitive conditions affecting the sale of such article are such as will reasonably protect the Government against excessive prices."

And insert:

"SEC. 5. (a) Section 106 (a) of such act is hereby amended by striking out the period at the end of paragraph (7) and inserting in lieu thereof a semicolon, and by inserting after paragraph (7) the following new paragraph:

"(8) any contract or subcontract for the making or furnishing of a standard commercial article, unless the Board makes a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably protect the Government from excessive prices. For the purpose of this paragraph—

"(A) The term 'article' includes any material, part, assembly, machinery, equipment, or other personal property; and

"(B) The term 'standard commercial article' means an article—

"(1) which is substantially identical in every material respect with an article which was manufactured and sold, and in general civilian, industrial, or commercial use, prior to June 1, 1950, or

"(2) which is substantially identical in every material respect with an article which is manufactured and sold, as a competitive product, by more than one manufacturer, or which is an article of the same kind and having the same use or uses as an article manufactured and sold, as a competitive product, by more than one manufacturer, or

"(3) which is the subject of any prime contract entered into pursuant to competitive bidding.

An article made in whole or in part of substitute materials but otherwise identical in every material respect with the article with which it is compared under clause (1) or

(2) shall be considered as identical in every material respect with such article with which it is so compared."

"(b) The amendment made by this section shall apply only with respect to fiscal years (as defined in section 103 (h) of the Renegotiation Act of 1951) ending on or after June 30, 1953."

On page 5, line 13, to change the section number from "5" to "6."

The additional amendments reported by Mr. MILLIKIN, from the Committee on Finance on May 19, 1954, and agreed to en bloc, are as follows:

On page 3, after line 2, insert the following:

"(b) Paragraph (1) of section 106 (c) of such act is further amended by inserting '(A)' after the word 'except' and by adding before the period at the end of such paragraph the following: 'and (B) to receipts and accruals from contracts for new durable productive equipment in cases in which the Board finds that the new durable productive equipment covered by such contracts cannot be adapted, converted, or retooled for commercial use.'"

On page 3, line 3, strike out "(b)" and insert "(c)."

On page 3, line 11, strike out "(c)" and insert "(d)."

On page 3, lines 11 and 12, strike out "subsections (a) and (b)" and insert "subsections (a), (b), and (c)."

Beginning on page 3, line 24, strike out all through line 12 on page 5 and insert the following:

"SEC. 5. (a) Section 106 (a) of such act is hereby amended—

"(1) by striking out, in paragraph (7), 'by reason of this subsection,' and inserting in lieu thereof 'by reason of any paragraph, other than paragraph (8), of this subsection; or'; and

"(2) by adding at the end of such section the following:

"(8) any contract or subcontract for the making or furnishing of a standard commercial article, unless the Board makes a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits. This paragraph shall apply to any such contract or subcontract only if (1) the contractor or subcontractor files, at such time and in such form and detail as the Board shall by regulations prescribe, such information and data as may be required by the Board under its regulations for the purpose of enabling it to reach a decision with respect to the making of a specific finding under this paragraph, and (2) within a period of 6 months after the date of filing of such information and data, the Board fails to make a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits, or (3) within such 6-month period, the Board makes a specific finding that competitive conditions affecting the sale of such article are such as will reasonably prevent excessive profits. Any contractor or subcontractor may waive the exemption provided in this paragraph with respect to receipts or accruals in any fiscal year by including a statement to such effect in the financial statement filed by such contractor or subcontractor for such fiscal year pursuant to section 105 (e) (1). Any specific finding of the Board under this paragraph shall not be reviewed or redetermined by any court or agency other than by the Tax Court of the United States in a proceeding for a redetermination of the amount of excessive profits determined by an order of the Board. For the purpose of this paragraph—

"(A) the term 'article' includes any material, part, component, assembly, machinery, equipment, or other personal property;

"(B) the term 'standard commercial article' means an article—

"(1) which, in the normal course of business, is customarily manufactured for stock, and is customarily maintained in stock by the manufacturer or any dealer, distributor, or other commercial agency for the marketing of such article; or

"(2) which is manufactured and sold by more than two persons for general civilian industrial or commercial use, or which is identical in every material respect with an article so manufactured and sold;

"(C) the term 'identical in every material respect' means of the same kind, manufactured of the same or substitute materials, and having the same industrial or commercial use or uses, without necessarily being of identical specifications; and

"(D) the term 'persons' does not include any person under control of, or controlling, or under common control with any other person considered for the purposes of subparagraph (B) (2) of this paragraph."

"(b) The amendments made by subsection (a) shall apply to contracts with the Departments and subcontracts only to the extent of the amounts received or accrued by a contractor or subcontractor after December 31, 1953."

On page 5, after line 12, insert the following new section:

"SEC. 6. (a) Section 106 (a) (4) of such act is hereby amended by striking out 'or' at the end thereof and inserting the following: 'and to such furnishing or sale in any case in which the Board finds the regulatory aspects of rates for such furnishing or sale, or the type and nature of the contract for such furnishing or sale, are such as to indicate, in the opinion of the Board, that excessive profits are improbable; or.'

"(b) The amendment made by subsection (a) shall apply only with respect to fiscal years (as defined in sec. 103 (h) of the Renegotiation Act of 1951) ending on or after December 31, 1953."

On page 5, after line 12, insert the following new section:

"SEC. 7. (a) Section 105 (d) of such act is hereby amended by striking out the period at the end of the last sentence thereof and inserting the following: ', and shall also have the power to set aside and declare null and void any such agreement if, upon a request made to the Board within 3 years from the date of such agreement, the Board finds as a fact that the aggregate of the amounts received or accrued by the other party to such agreement during the fiscal year covered by such agreement was not more than the minimum amounts subject to renegotiation specified in section 105 (f) for such fiscal year.'

"(b) The amendment made by subsection (a) shall be effective as if it were a part of the Renegotiation Act of 1951 on the date of its enactment."

On page 5, strike out lines 13 through 15 and insert the following:

"SEC. 8. Section 201 (h) of such act is hereby amended by striking out '2 years' and inserting in lieu thereof '4 years', and by adding at the end thereof the following new sentence: 'If any such case has been dismissed by any court for failure to substitute for the War Contracts Price Adjustment Board prior to the effective date of this sentence, such case is hereby revived and reinstated in such court as if it had not been dismissed.'"

The PRESIDING OFFICER. The bill as now amended is open to further amendment.

Mr. MILLIKIN. This bill was discussed by me in the Senate on July 29, 1953, but was withdrawn pending further



study by the committee. Your committee, after hearing the full Renegotiation Board, has reported certain additional amendments. Because of the lapse of time since the matter was before the Senate, my discussion is intended to cover a detailed explanation of the bill in its entirety.

Section 1 of the bill extends the renegotiation authority for 1 year, to December 31, 1954. Unless the Renegotiation Act is extended, amounts received or accrued by defense contractors and subcontractors during 1954 will not be subject to renegotiation and the Government will not be adequately protected against payment of excessive prices in the execution of the national defense program. Under the bill renegotiation will not be applicable to receipts or accruals attributable to performance after December 31, 1954.

Section 2 of the bill is the same as that contained in the bill reported by our committee last year. This section raises the minimum amount subject to renegotiation from \$250,000 to \$500,000 with respect to fiscal years ending on and after June 30, 1953. This amendment has the approval of the Board, since it will permit the Board to concentrate on the larger cases, and therefore facilitate administration of the act. The number of filings has been about 40,000 for each of the calendar years 1951 and 1952. Filings for 1953, normally due on April 1, 1954, were postponed by the Board due to pending legislation.

Section 3 of the bill remains unchanged. This section amends section 106 (a) (6) of the act, relating to mandatory exemptions. The amendment makes it clear that there should be exempt from renegotiation contracts with the Reconstruction Finance Corporation for materials and services to be used in the manufacture and sale of synthetic rubber to the extent that such materials or services are required for the manufacture of synthetic rubber for sale thereof to a private person or private persons for nondefense purposes. The Board concurs in the desirability of this provision and has already caused a directive to be issued to that effect.

Section 4 of the bill relates to the relief provided for in section 106 (c) of the act for durable productive equipment. Under the existing law certain special relief was granted for new durable productive equipment with respect to subcontracts. The House bill extends this relief to contracts direct with the Government. For example, under the House bill, if the Government purchases for its own account a \$100,000 machine tool having an estimated useful life of 20 years, the portion of the profits subject to renegotiation will be the proportion which 5 years bears to the estimated life, which is one-fourth. The committee amendment denies this relief in the case of contracts with the Government in cases where the Board finds that the new durable productive equipment covered by such contract cannot be adapted, converted, or retooled for commercial use. The Board has approved of this amendment.

Section 5 of the reported bill provided a mandatory exemption for standard commercial articles unless the Board made a specific finding that competitive conditions affecting the sale of such article were such as will not reasonably protect the Government from excessive prices. Your committee has reconsidered this amendment particularly because it was felt that the Board did not have a sufficient investigative staff to make such a determination in the first instance. Under the changed version, which the Board states is administratively feasible, it is required, first, that the specific finding be made as to "excessive profits" instead of "excessive prices"; second, that the contractor or subcontractor file information with the Board containing sufficient data to enable the Board to make such a finding; and third, that if within 6 months after the date such information is filed the Board does not make a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits, the exemption will apply. Under the amendment the Board may make a specific finding without waiting for the expiration of such 6 months' period. The amendment applies only to amounts received or accrued by a contractor or subcontractor after December 31, 1953. The definition of standard commercial articles has also been rewritten to make it easier for the Board to determine whether an article should be classed as a standard commercial article.

At this point I should like to read a letter from George C. McConaughy, Chairman of the Renegotiation Board, addressed to me as chairman of the Senate Committee on Finance. The letter is dated August 13, 1954, and reads as follows:

MY DEAR MR. CHAIRMAN: I understand that H. R. 6287, the bill to extend and amend the Renegotiation Act of 1951, together with amendments recommended by your committee, will be presented to the Senate in the immediate future.

As previously indicated to you and your committee, the Renegotiation Board has been consistently in favor of the extension of the Renegotiation Act with amendments.

With respect to the proposed amendment affecting new durable productive equipment, the Renegotiation Board takes no position inasmuch as it believes the matter presents no administrative problems and is purely a subject for congressional consideration on the question of the extent of exemption which the peculiar problems of that industry require.

The Renegotiation Board has been primarily concerned with the administrative problem presented by the proposed amendment for standard commercial articles. The Renegotiation Board has discussed this problem thoroughly with the staff of your committee and has coordinated the language which your committee proposes to recommend as a substitute for the standard commercial article exemption passed by the House of Representatives.

In the opinion of the Renegotiation Board, the standard commercial article exemption, as now recommended by the Senate Finance Committee, presents, through the definitions therein contained, a clearer legislative intent than that passed by the House. Moreover, the exemption as recommended by your

committee gives greater guidance for the implementation of such exemption and is susceptible of fairer and more equitable administration.

Respectfully yours,  
GEORGE C. MCCONNAUGHEY,  
Chairman.

Section 6 gives the Renegotiation Board discretionary authority to exempt from renegotiation contracts for space or commodity transportation on ships if the Board finds that the regulatory aspects of the rates charged are such as to indicate in the opinion of the Board that excessive profits are improbable. This amendment applies only to fiscal years ending on or after December 31, 1953.

Section 7 gives the Board authority to set aside and declare null and void any renegotiation agreement if, upon a request made to the Board within 3 years from the date of such agreement, the Board finds as a fact that the aggregate of the amounts received or accrued by the other party to such agreement during the fiscal year covered by such agreement was not more than the minimum amount subject to renegotiation for such year. Thus, if the Board had renegotiated amounts below the \$250,000 minimum limit now in the law, such renegotiation could be set aside.

Section 8 extends until March 23, 1955, the time within which the United States can be substituted for the World War II Contract Price Adjustment Board in suits before the Tax Court. It further provides that if any such case has been dismissed by any court for failure to substitute the War Contracts Price Adjustment Board prior to the effective date of this sentence, such case is hereby revived and reinstated in such court as if it had not been dismissed.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question? Mr. MILLIKIN. I yield.

Mr. SALTONSTALL. As the Senator knows, in 1951, when the 1951 act was being debated, the late Senator Butler of Nebraska and several other Senators offered an amendment with relation to scoured wool. That amendment was taken to conference, but did not come out of conference, and was not included as an exemption in the renegotiation bill. I should like to ask the chairman of the Committee on Finance if the committee, in considering these amendments at this time, considered the subject of scoured wool, and whether it should not be exempted as being, like other agricultural products, in the first state, rather than in a processed state.

Mr. MILLIKIN. In the first place, I should say that it is not my memory that the committee specifically considered that question. In the second place, I believe there is a rather wide field of speculation over the proper placing of scoured wool. I do not believe we would be warranted in taking an amendment to conference for decision of that question.

It might be better added to another bill. There will be one or two bills, I hope—of course I cannot guarantee it—on which such an amendment would be more appropriate than on the pending bill.

Mr. SALTONSTALL. In other words, the position of the Senator is that there will be another bill this year?

Mr. MILLIKIN. I am hoping that there will be another bill this year. However, all I can do is take what I believe are the signs and indications.

Mr. SALTONSTALL. In other words, what the Senator from Colorado believes is that if the question should be raised by me—of course he knows there are many people in Massachusetts interested in wool and that there is a great market there for wool—it should not be raised in connection with this bill, but, instead, another bill, either this year or next year?

Mr. MILLIKIN. I believe it should be raised this year, and if it is not raised this year, I can assure the Senator it will receive the careful attention of the committee next year.

Mr. SALTONSTALL. I thank the Senator. I should like to ask one more question. I listened to the Senator's exposition of the bill, in which he said the limit had been raised from \$250,000 to \$500,000. Does that mean that any contract under \$500,000 would not be subject to renegotiation in any event?

Mr. MILLIKIN. That is correct.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The Senator's time has expired.

Mr. MILLIKIN. I yield myself an additional 5 minutes.

After June 30, 1953, any contract which involved less than \$500,000 is not renegotiable.

Mr. SALTONSTALL. A wool contract would have to be a very substantial contract, as I understand, to be subject to renegotiation, in any event.

Mr. MILLIKIN. It would, indeed.

Mr. SALTONSTALL. I thank the Senator for his answers to my questions, because, as I say, this is a matter of considerable importance to a number of citizens in Massachusetts. I shall take the Senator's advice and not press my amendment to this bill, but be prepared to offer it to another bill.

Mr. MILLIKIN. I appreciate the Senator's attitude. I may say, as chairman of the Committee on Finance, I am well aware of the extreme importance of various aspects of the wool business to the citizens of Massachusetts.

Mr. SALTONSTALL. I appreciate the Senator's statement.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. SMATHERS. I do not know whether I understood exactly what the Senator said with respect to June 30, 1953. Do I correctly understand that after June 30, 1953, any contract above \$500,000 would be subject to renegotiation, or did he say below \$500,000?

Mr. MILLIKIN. For exemption, it would have to be less than \$500,000 after that date.

Mr. SMATHERS. Any contract made after June 30, 1953, for less than \$500,000 would be exempt from action by the Renegotiation Board. Is that correct?

Mr. MILLIKIN. That is correct.

Mr. SMATHERS. As I understand, the bill contemplates extending the Re-

negotiation Board and its actions for 1 additional year.

Mr. MILLIKIN. To the end of the current year.

Mr. SMATHERS. To the end of the current year?

Mr. MILLIKIN. That is correct.

Mr. SMATHERS. I should like to ask the Senator one more question. It has to do with section 6, on page 5, of the additional amendments. Is section 6 limited to contracted space for the transportation of commodities? In other words, is it limited to a transportation matter?

Mr. MILLIKIN. I think it is a little bit broader than what the Senator has in mind. The exact language reads:

SEC. 6. (a) Section 106 (a) (4) of such act is hereby amended by striking out "; or" at the end thereof and inserting the following: "and to such furnishing or sale in any case in which the Board finds that the regulatory aspects of rates for such furnishing or sale, or the type and nature of the contract for such furnishing or sale, are such as to indicate, in the opinion of the Board, that excessive profits are improbable; or."

Mr. SMATHERS. Will the Senator give me a little more elucidation on that point?

Mr. MILLIKIN. I believe the Board would have the discretionary power to determine whether that is true.

Mr. SMATHERS. If it appeared to the Board that a contract negotiated between the Government and a private contractor would lead them to believe that excessive profits were improbable, they would not, obviously, investigate it.

Mr. MILLIKIN. That is absolutely correct. I think that through the act runs the idea that if some regulatory power had as a part of its normal business the determination of the question whether fair rates have been applied, the Board would be directed to take the judgment of the body which had proper jurisdiction.

Mr. SMATHERS. Is it the Senator's feeling that we should continue the Renegotiation Board somewhat indefinitely, as we do, year after year, when we find that the Korean war has now come to an end—and I hope that we do not get into a similar small war—and is it not the Senator's feeling that we should finally get back to the basis of competitive bidding, with people who enter into contracts through competitive business having a right to rely on contracts, without having hanging over their heads the fear that the contracts will be renegotiated?

Mr. MILLIKIN. I have that feeling very strongly.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. CASE. Apropos of the question which has been asked by the Senator from Florida, the junior Senator from South Dakota observes that when we first established renegotiation as a means of controlling excessive profits, early in World War II, we did not have the excess-profits tax; nor did we have the development of the various tax methods of reaching war profits.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MILLIKIN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 15 minutes remaining.

Mr. MILLIKIN. I yield myself 5 more minutes.

Mr. CASE. Mr. President, of course we also had the problem of facilities loaned or financed by the Government, and the normal percentage of tax, a tax based upon a percentage of volume which did not reach profits made possible by facilities loaned by the Government, but I share in the opinion expressed by the Senator from Colorado that we should not consider the renegotiation proposed as something to be used in normal times and under normal conditions.

I will say for the RECORD that when Maurice Karker, the first head of the Price Adjustment Board, was testifying before the House Committee on Appropriations for the War Department, he made that point very definitely. I think that was the first pronouncement by any head of the Price Adjustment Board that we should not have renegotiation under normal conditions. But I note that the amendment proposed by the Senate Committee on Finance uses the following language in setting forth the exemption:

Any contract or subcontract for the making or furnishing of a standard commercial article, unless the board makes a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably protect the Government from excessive prices.

I am very glad that language has been used.

Mr. MILLIKIN. I am delighted that the Senator is pleased with it.

Mr. CASE. I think it means that the committee is saying that when we are operating under competitive conditions, we do not need renegotiation—

Mr. MILLIKIN. The article is then exempt.

Mr. CASE. And we do not need the renegotiation concept.

I applaud the committee's discernment.

Mr. SMATHERS. Mr. President, will the Senator from Colorado yield on that point?

Mr. MILLIKIN. I yield.

Mr. SMATHERS. I thoroughly agree with what the able Senator from South Dakota has said. The only present objection I have relates to the narrow definition of what are called standard articles. As I understand, the definition does not include too wide a range of articles. Today many small companies have entered into a competitive situation and have finally received a contract from the Government. They do not have much money or much by way of reserves. Yet, they must keep all the money they make in the bank; they cannot use it for fear the contract may be renegotiated a year or two in the future, and then they will have to make good to the Government.

So I say again that I appreciate the able chairman's views that since a competitive situation now exists the law



should come to an end as quickly as it may be possible to bring it to an end.

Mr. MILLIKIN. I thank the Senator from Florida.

Mr. President, I now yield to the Senator from Pennsylvania.

Mr. MARTIN. Mr. President, is it in order to offer an amendment at this time?

The PRESIDING OFFICER (Mr. BARRETT in the chair). It is in order to offer an amendment.

Mr. MARTIN. I offer my amendment designated "8-13-54-A."

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Pennsylvania.

The LEGISLATIVE CLERK. On page 3, line 14, it is proposed to strike out "June 30, 1953" and insert "June 30, 1952."

Mr. MARTIN. Mr. President, I ask unanimous consent to modify my amendment by inserting the date March 23, 1951.

The PRESIDING OFFICER. The Senator has a right to modify his own amendment.

Mr. MARTIN. I desire to modify the amendment to read "March 23, 1951."

The PRESIDING OFFICER. There are two dates in the Senator's amendment. To which one does the Senator refer?

Mr. MARTIN. On page 3, line 14, strike out "June 30, 1953" and insert "March 23, 1951." That is the date of the enactment of the law.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Pennsylvania, as modified.

The LEGISLATIVE CLERK. On page 3, line 14, it is proposed to strike out "June 30, 1953" and insert "March 23, 1951."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania, as modified.

Mr. MARTIN. Mr. President, I yield myself 5 minutes.

Mr. President, amendment "A," which I have called up, would make section 4 of the bill, as amended by the additional committee amendments, retroactive to March 23, 1951.

As the committee amendment reads, section 4 would apply only to fiscal years ending on or after June 30, 1953.

As has been so ably presented by the distinguished chairman of the Senate Finance Committee, the purpose of section 4 of the pending bill, is to eliminate the discriminatory and unjust provisions of the Renegotiation Act of 1951.

I hope that with equal clarity I may be able to point out why it is desirable not only to remove the discrimination for fiscal years ending on or after June 30, 1953, but to make section 4 applicable retroactively to March 23, 1951.

The unfair conditions which existed with respect to 1953, and which will exist in the future, are even more true with respect to the years 1951 and 1952. In actual fact, the discrimination was probably more intense and more severe in 1951 and 1952 than in 1953.

This is true because the concentration of productive equipment procurement was greater in 1951 and 1952 than in subsequent years. It is in the early part of an emergency, while plants are

being retooled for emergency production, that heavy Government buying of machine tools and other productive equipment would occur.

So far as I know, there has been only one objection to a retroactive amendment that would cover the entire period of renegotiation, back to the effective date of the act, January 1, 1951. That objection is that retroactivity would place undue administrative burdens upon the Renegotiation Board. By administrative burdens is meant, so far as I can determine, that the Board might be required to go back and refigure on the basis of the new section 4, contracts which have already been determined.

When H. R. 6287 was being considered last year, such a retroactive provision would not have imposed much of a burden, in that the Renegotiation Board had at that time acted upon only a few cases. Now, it is my understanding, the Board has progressed considerably with cases filed in 1951.

I venture to predict that if section 4 of the bill is made retroactive so as to apply on or after March 23, 1951, the Board will actually face less, rather than more, of an administrative problem. This is true because some of the most difficult cases are those in which the contractor knows that he is being unfairly treated under the discriminatory features of the existing law. It is only natural that he should resist at every step, and these controversies are increasing. Unless we write a fair law, I believe they will soon clog the docket of the tax court.

Mr. President, we must remember that when we faced the recent emergency and looked at the machine tool industry to produce the necessary tools and equipment, our Government went to the best companies in the business to get the job done. Our leading machine tool manufacturers became the prime contractors—and in most cases devoted all of their production to Government contracts. Why should they not be given at least the same consideration and treatment as those companies which supplied tools and machines as subcontractors. That is what section 4 proposes to correct—and my amendment would make that correction retroactive to years on or after March 31, 1951.

Mr. MILLIKIN. I may say to the distinguished Senator from Pennsylvania that the Board has already finished many of the 1951 and 1952 cases. I am afraid the Senator's amendment would open up the whole subject and cause endless confusion by going back into those years.

If the bill be studied, I think it will be found that the machine-tool companies have been pretty well treated. I read a part of the mechanism for handling machine tools. It gives a good example of how they have been treated in the bill. I think it would be a mistake to put something in the bill which would have a retroactive effect with respect to opening up 1951 and 1952 cases, as to which determination already has been made.

Mr. MARTIN. Mr. President, I yield the remainder of my time to the distinguished Senator from Connecticut [Mr. BUSH].

Mr. BUSH. Mr. President, the machine-tool industry is one of the more important employers of labor in my State. It is a very important part of our economy and, therefore, is something in which we are very much interested. The feast-or-famine nature of the machine-tool industry has been such over the years that, I believe, it deserves some special consideration, such as the committee of which the distinguished Senator from Pennsylvania [Mr. MARTIN] is chairman is prepared to accord it.

I speak in support of the amendment offered by the Senator from Pennsylvania. I have in my hand the committee report. On page 3, in the paragraph entitled "Prime Contracts for Machine Tools," I read the following:

The fact that many Government purchases of machine tools at the present are for stockpiling purposes makes this amendment essential. By making sales of this type to the Government, the industry is, in effect, destroying the future market for its products because the eventual release of the Government stockpile will serve to satisfy normal demand. Thus, the amendment merely requires recognition of the fact that defense use can be expected to represent only a portion of the useful life of the equipment sold under prime contracts.

One of my constituents, who is active in this industry has written me as follows. This may be directly in point with what the distinguished Senator from Colorado has said:

We do not believe that there can be any objection of substance to the full retroactive application of the recommended change in partial mandatory exemption. Any objection based upon workload or administrative difficulty should yield to the equity and justice of the complete application of the principle involved in such change. Contractors who are involved, if they see fit, should have an opportunity to assume the workload which falls primarily on them.

The question I wish to ask the Senator from Colorado is this: If this kind of amendment, this kind of concession, is good for 1 year, why is it not good all the way back?

Mr. MILLIKIN. Every problem of taxation involves the same question. Assuming we are progressive with our tax laws, a taxpayer can easily say, "If this is right now, why has it not been right during the past 20 years?" Following that theory, one would never reach a point of repose in the taxation statutes.

Mr. BUSH. I certainly agree with the Senator that speaking particularly in connection with matters of tax law, the tax laws change from time to time. But we say that it was right in 1952, and on this particular point it was right in 1952. It seems to me they are exactly the same. I do not see why the distinguished Senator from Colorado will not take this excellent amendment under his wing.

Mr. MILLIKIN. The reports for 1953 are not yet available. The time was extended until September 1, in order to accommodate those making such reports.

Mr. BUSH. All we wanted to get was special treatment for the machine tool companies, and to extend the time back to that date.

Mr. MILLIKIN. I hope the Senator from Connecticut will not press the amendment at this time, because the

Committee on Finance has much business yet to consider with the House Committee on Ways and Means. Conferences are being held now on other bills, and we are not reaching agreements very fast. We shall be sending many bills to conference, and they will certainly be killed if we include a number of amendments such as this. I hope the Senator will not press the amendment.

Mr. SMATHERS. Mr. President, would the Senator from Colorado object to an amendment on page 4, line 10, to include a definition of "standard commercial articles"? The amendment would be, after the semicolon, to insert "or" and between lines 10 and 11 to insert the following:

3. Which is the subject of any competitive bid contract designed to modernize, repair, and/or increase the United States merchant marine fleet.

To be perfectly frank with the Senator, there are in Florida a number of small shipyards which have entered into competitive bidding for contracts with the Government, and which have received contracts after competitive bidding. From the contracts in each instance they have realized profits, which have not been large. Nonetheless, the contracts are subject to renegotiation, and the companies do not know what they can do so far as future reinvestment is concerned. They feel, and I share their feeling, that they are not proper subjects for renegotiation of contracts, and possibly one way in which they could be helped would be by the adoption of such an amendment as I have suggested.

Mr. MILLIKIN. It has been suggested that contractors such as the Senator has in mind could get assistance under the discretionary powers of the Board.

The Senator is a distinguished member of the Finance Committee. Let him bring such a situation to our attention. I do not believe objection will be made. I should dislike very much to include anything in the bill which would be likely to prevent an agreement in conference. I am afraid that by agreeing to this amendment we would have another point upon which we could not agree.

Mr. SMATHERS. I appreciate the position of the distinguished Senator as to the inadvisability of writing a technical bill on the floor. For that reason, I certainly shall not press the amendment. However, I appreciate the distinguished Senator's statement that, in his opinion, he does not believe the Renegotiation Board would be justified in renegotiating the contract of a small contractor which was obtained on a purely competitive basis, and who has obviously not made an excessive profit. Nevertheless, he must stand in readiness, with what little profit he has, in the event the Renegotiation Board might find against him and take a part of his profit away from him.

Mr. MILLIKIN. I would not wish to pass judgment on a case as to which I do not know all the facts; but, as I have said, the distinguished Senator from Florida is a member of the Committee on Finance; and if the Renegotiation Board should not use its discretionary

powers with wisdom, I hope the Senator will let us know about it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. MARTIN].

The amendment was rejected.

Mr. MARTIN. In connection with section 5 of the bill, I wish to ask the distinguished chairman of the Committee on Finance a question. Before doing so, I desire to ask if he has had an opportunity to read a brief excerpt from the committee hearings on H. R. 6287, which I placed in his hands.

Mr. MILLIKIN. Mr. President, I shall be completely candid. Probably I did. But when I go from the Chamber to my office, or from my office to the Chamber, it almost always happens that someone pushes papers into my hand. Usually I read them. But I would not be completely candid if I were to say with certainty that I had read what the Senator from Pennsylvania handed me.

Mr. MARTIN. The distinguished Senator from Colorado is entirely too young a man to forget such things. When one is my age, it is a little different.

The excerpt is taken from the printed hearings, pages 31 and 32, and is a colloquy between the chairman of the Committee on Finance and Frank L. Roberts, one of the members of the Renegotiation Board. It demonstrates the point I wish to bring out.

My question concerns whether or not excessive profits can result from sales made to the Government when those sales are made under published, competitive prices. I believe it is the view of the chairman of the Senate Finance Committee, and it is my view, that profits made as a result of sales to the Government are not excessive when they are made in a completely competitive market.

The Renegotiation Board has taken the position in some instances that excessive profits may result merely from volume of business. I do not believe that was intended by the Renegotiation Act. I concede that the Renegotiation Board has a right to review the sales of any company in order to establish the validity of the competitive conditions. I deny that the Board may find profits excessive on the basis of volume of business, when fully competitive prices prevail.

Mr. MILLIKIN. In most cases I do not see how the Renegotiation Board could possibly make a finding of excessive profits where complete, full competitive conditions prevailed. If one wants to use his imagination, he can say that war produces a necessity for buying all sorts of materials when there is no time to figure out the right designs, no experience of buying that type of article, or the volume is such that the unit cost shrinks below the cost which was projected. Perhaps something could be made of that argument, but I think the Renegotiation Board should go very slow with that kind of reasoning.

Mr. MARTIN. I appreciate the very fine statement of the distinguished chairman of the Finance Committee.

Mr. President, I now ask unanimous consent to have printed in the RECORD at this point in my remarks an excerpt from the hearings on H. R. 6287, held on February 25, 1954, as found on pages 31 and 32.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The CHAIRMAN. Let us assume complete fairness of competition. Let us assume that there is competition, that there is lively competition. Is it your contention that if what you consider to be an inordinate profit develops out of that kind of a field, that it is subject to renegotiation?

Mr. ROBERTS. Mr. Chairman, I would like to answer that by saying that I do feel that it is subject to renegotiation, but that does not imply that there will be a reduction in the price through a refund in renegotiation.

The CHAIRMAN. What, then, does that mean?

Mr. ROBERTS. It means that the Government has a right to review or renegotiate profits from the Government business in that instance.

The CHAIRMAN. Let me ask you this again. Assuming that there is full and free competition and a profit is made which you consider to be a comparatively large profit, do you consider that to be subject to renegotiation?

Mr. ROBERTS. Again, I say it is subject to renegotiation, but I do not wish to imply that under those conditions the Board would find that it had to make finding of excessive profits.

The CHAIRMAN. Then, you do not quarrel with the contention that if the article is in free competition, genuine free competition, that it should be renegotiated?

Mr. ROBERTS. I do not, not since I understand you to mean being renegotiated, mean to have a refund exacted.

The CHAIRMAN. I am assuming that out of an article in free competition, someone makes a large profit. Do you believe that that should be renegotiated?

Mr. ROBERTS. No, sir; not in the sense that I understand you to mean it.

The CHAIRMAN. Is that the feeling of the Board?

Mr. ROBERTS. I believe so, sir.

The CHAIRMAN. Then, we come back again to the proposition that what you are really fussing about is that you want the contractor to submit the data from which you can take a look at the picture and determine whether there has been free competition and other factors that you take into consideration?

Is that correct?

Mr. ROBERTS. That is correct.

Senator FLANDERS. Mr. Chairman, may I pursue this just a little further? It seems to me this raises a question as to whether any profit under free competition, if it happened to be large, is inordinate. That is a fundamental question. With free competition and a large profit, is that profit inordinate? Is it socially inordinate or is it inordinate from the Government's standpoint? Certainly it is there, and if the Government can reach its hand into it and bring some of it back, is that a good thing, when private purchasers are well content to pay the price under free competition which gives the so-called inordinate profit?

The CHAIRMAN. As I have understood the witness, in that case, assuming free competition, they would not be interested in renegotiating profits. That would be assuming free competition. Am I correct in that?

Mr. ROBERTS. You are, sir.



The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6287) was read the third time and passed.

#### IMPROVEMENT OF UNEMPLOYMENT COMPENSATION PROGRAM

Mr. MILLIKIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. R. 9709.

The PRESIDING OFFICER (Mr. BARRETT in the chair). Is there objection to the unanimous-consent request?

Mr. SMATHERS. Mr. President, reserving the right to object, I wonder if there has been an agreement to suggest the absence of a quorum. There was no request on this side.

Mr. MILLIKIN. I have had no request, but—

The PRESIDING OFFICER. The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 9709) to extend and improve the unemployment compensation program.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 9709) to extend and improve the unemployment compensation program.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLIKIN. Mr. President, H. R. 9709 would extend the unemployment insurance system to 4 million additional workers. The bill would make the following four important improvements in the system:

First. It will enable some 1.3 million workers throughout the country to gain the right to unemployment insurance benefits from which they are now excluded, by making the Federal unemployment tax applicable to firms employing 4 or more workers in each of 20 weeks. Present law limits the incidence of the Federal tax to employers with 8 or more workers in the same period.

Second. Some 2.5 million Federal workers who, up to this time, have never had any protection against layoff or job suspension, will be covered by the bill. Thus, for the first time the Federal Government would provide for its own employees, the same right to unemployment benefits which it now requires private employers to provide.

Third. A revision of the experience rating factor will make it possible for the States to encourage the development of new business enterprises. Such new enterprises are now placed at a competitive disadvantage over established em-

ployers in the amount of their tax because present law sets a waiting period of 3 years before permitting new businesses the "experience rating" tax reductions. H. R. 9709 would permit States to lower this waiting period to 1 year, thus helping to equalize the burden of the employer tax.

#### COVERAGE OF FIRMS EMPLOYING FOUR OR MORE INDIVIDUALS

The extension of coverage of the system to additional workers is in line with the recommendations of President Eisenhower. In his Economic Report of January 1954, he called upon the Congress to "amend the present law to cover employees of businesses with fewer than 8 employees, on the ground that such workers need protection no less than those of larger, and often more stable, enterprises"—Economic Report of the President, January 1954, page 97.

The case for a further extension of unemployment insurance to uncovered groups is really a very simple one. If unemployment insurance is a good thing for two-thirds of the workers in this country who now are covered, certainly it is a good thing for as many more workers as can be covered without creating excessive administrative problems. It has been clear for some time that it would be practical, administratively, to broaden the coverage by Federal action to firms employing four or more individuals. The majority of State systems have already had experience with coverage of small firms. In 17 States, employers hiring 1 or more workers are covered. Two States cover firms employing 3 or more, 8 States—New York, New Jersey, Rhode Island, Connecticut, Louisiana, Kentucky, New Hampshire, and Oregon—now have coverage of firms hiring 4 or more employees, as provided in this bill.

Federal responsibility for determining the minimum number of employees per firm subject to the Federal-State unemployment insurance system was clearly established at the time of enactment of the Social Security Act. By requiring coverage of firms employing 4 or more individuals instead of 8 or more, as is provided in present law, the Federal Government would be continuing to exercise the role assigned to it when the program was enacted in 1935. Now that we are assured that the States have the administrative know-how to cover smaller firms we can proceed to give unemployment insurance protection to workers who have been excluded from the system because of administrative difficulties.

The tragedy of unemployment is no less severe for a man or woman because he or she happens to work for a small firm instead of a large firm with thousands of workers. This is the vital human consideration which calls for prompt enactment of H. R. 9709.

#### COVERAGE OF FEDERAL EMPLOYEES

The second major contribution this bill would make is its provision for the coverage of 2.5 million Federal workers under the unemployment insurance system. In his Economic Report for 1954, the President said:

A worker laid off by a Government agency gets no insurance benefits despite the fact

that in many types of Federal jobs he is as vulnerable to layoff or dismissal as the factory worker. It is recommended that Congress include in the insurance system the 2.5 million Federal civilian employees under conditions set by the States in which they last worked, and that it provide for Federal reimbursement to the State of the amount of the cost, estimated to be about \$25 million for the fiscal year ending in 1955.

H. R. 9709 would put this recommendation into effect. It provides unemployment insurance for Federal civilian workers who are employed in the United States, including Puerto Rico or the Virgin Islands, and elsewhere, if citizens of the United States. Unemployment compensation will be payable to such Federal workers who are unemployed after December 31, 1954. A Federal worker's right to benefit is to be determined under the unemployment-compensation law of the State to which his Federal services and wages are assigned. Usually, this will be the State in which the worker had his official station when he became unemployed, or, if he has been in Foreign Service, the State in which he resides when he files his claim. Compensation will not be paid for the period with respect to which accrued annual leave is paid upon separation.

The Secretary of Labor is authorized to enter into agreements with each State, under which the State unemployment compensation agency will make benefit payments as agent for the United States and will be reimbursed by the United States for any additional costs of such payments. If a State does not have such an agreement, the Secretary will make the unemployment-compensation payments and will apply the benefit standards and other provisions of the law of such State. Unemployed workers filing a claim in Puerto Rico or the Virgin Islands will be paid according to the benefit standards and other provisions of the unemployment-compensation law of the District of Columbia.

Now let us look at some of the special conditions of their employment which call for unemployment insurance for Federal workers. Federal civilian employees face the risk of unemployment on about the same degree as do non-Government workers in the same kind of employment.

In this connection, it is important to note that approximately one-fourth of all Federal employees are so-called wage-board, or blue-collar, workers, such as mechanics, helpers, and other such employees in navy yards, arsenals, air installations, and other Government facilities. Moreover, the separation rate for wage-board employees is higher than that for all Federal employees. In 1953 it averaged 2.9 percent per month, as compared with 2.2 percent for all Federal employees. Unless we act promptly to extend coverage to Federal employees, we are asking these blue-collar workers performing jobs vital to national defense to surrender their right to unemployment benefits for any period during which they work for the Federal Government. This is not wise, it is not fair, and it is not just. H. R. 9709 would correct this inequity.

Because there has been no experience with an unemployment-compensation

\*system for Federal workers, cost estimates are necessarily rough. Tentative estimates of the Department of Labor put the annual cost at \$35 million.

The enactment of H. R. 9709 would mark a major step forward in the working conditions of some 2.5 million Government workers. May I remind the Senate that the bulk of this protection would not be limited to Washington, as only about 10 percent of Federal employees live in the District of Columbia metropolitan area. The other 90 percent are distributed throughout all of the States in the Union.

I am convinced that the Federal Government should provide unemployment-insurance protection for its employees which is at least comparable to that available for employees in private industry.

#### EXPERIENCE RATING

The third section of the bill which makes a long-needed improvement in the unemployment insurance system is the one which reduces the cost of the Federal Unemployment Tax Act for new employers by authorizing the States to extend experience-rating tax reductions to new and newly covered employers after they have had at least 1 year of experience under the State law, instead of requiring them to wait 3 years as is required today. This section of the bill would carry out the recommendation of the President in his Economic Report of January 28, 1954, that "Congress allow the shortening, from 3 years to 1, of the period required to qualify for a rate reduction." In simple language, this amendment will permit States to base the rate for an employer with 1 year's experience on that single year, and to base the rate for an employer with 2 years of experience on those 2 years.

At least four types of employers may benefit from this provision: First, employers newly covered by an extension of the coverage of the State law as a result of the enactment of H. R. 9709; second, employers establishing a new business; third, out-of-State employers establishing new branches in a State, and fourth, veterans who are reestablishing their businesses when they return from military services.

#### ANNUAL PAYMENT OF TAX

Another improvement made by the bill in the administration of the program deserves our consideration. This is the provision which eliminates the right to pay the Federal unemployment insurance tax on a quarterly basis. The elimination of quarterly payments would not alter the present practice for most taxpayers. Some 85 percent of total taxes collected under the Federal law are now paid annually, rather than on a quarterly basis. Under the bill the practice which is followed on the part of most taxpayers would be made uniform and result in more efficient and more economical administration.

Mr. President, I urge the passage of H. R. 9709, and thus we would implement the recommendations of President Eisenhower to which I have referred and which are contained in his Economic Report of January 1954.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MILLIKIN. Mr. President, I offer a series of amendments, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendments.

Mr. SMATHERS. Mr. President, are these the technical amendments?

Mr. MILLIKIN. No. This amendment follows a suggestion made to me, as chairman of the committee, by Arthur Larson, Under Secretary of Labor.

The PRESIDING OFFICER. Does the Senator desire the amendment read?

Mr. SMATHERS. Mr. President, I ask unanimous consent that the reading of the amendments be waived and that the Senator from Colorado be asked to explain them.

The PRESIDING OFFICER. Without objection, the amendments will be printed in the RECORD without reading.

There being no objection, the amendments offered by Mr. MILLIKIN were ordered to be printed in the RECORD, as follows:

On page 1, in lines 4 and 5, strike out "section 1607 (a) of the Internal Revenue Code" and insert the following: "section 3306 (a) of the Internal Revenue Code of 1954."

On page 1, in line 6, strike out "four" and insert "4."

On page 1, in lines 8 and 9, strike out "section 1602 (a) of the Internal Revenue Code" and insert the following: "section 3303 (a) of the Internal Revenue Code of 1954."

On page 2, in lines 3 and 4, strike out "three-year" and insert "3-year."

On page 2, in line 8, strike out "one" and insert "1."

On page 2, strike out lines 10 through 19 and insert the following:

"Sec. 3. Effective with respect to the taxable year 1955 and succeeding taxable years, section 6152 (a) (3) of the Internal Revenue Code of 1954 is hereby repealed."

On page 3, in line 20, after "Code" insert "of 1939."

On page 4, in line 19, strike out "or."

On page 5, in line 2, strike out "States," and insert "States; or."

On page 5, after line 2, insert the following:

"(13) by an officer or a member of the crew on or in connection with an American vessel (A) owned by or bareboat chartered to the United States and (B) whose business is conducted by a general agent of the Secretary of Commerce, if contributions on account of such service are required to be made to an unemployment fund under a State unemployment compensation law pursuant to section 1606 (g) of the Internal Revenue Code of 1939 or section 3305 (g) of the Internal Revenue Code of 1954."

On page 16, in line 18, after "Code," insert "of 1939."

On page 16, after line 20, insert the following:

"(c) Effective with respect to services performed after December 31, 1954, section 3305 (e) and section 3306 (1) of the Internal Revenue Code of 1954 are hereby repealed."

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Colorado will be considered en bloc.

The question is on agreeing to the amendments.

Mr. THYE. Mr. President, may we have an explanation?

Mr. MILLIKIN. I am perfectly willing to make an explanation.

Mr. THYE. The amendments will appear in the RECORD, but we have no explanation.

Mr. MILLIKIN. Let me read the letter from Under Secretary Larson. It will explain the amendments, I think. This is a letter dated July 20, 1954, addressed to me by Arthur Larson, Under Secretary of Labor:

DEAR SENATOR MILLIKIN: Upon reexamining the provisions of House bill 9709 relating to unemployment compensation for Federal workers, we discovered the need for a minor amendment to avoid the possibility of duplication in Federal and State coverage of certain seamen. Last year Public Law 196 was enacted to add section 1606 (g) to the Internal Revenue Code to permit the States to cover under their unemployment insurance laws services performed by seamen who are employed on ships operated by general agents of the Secretary of Commerce. The Department of Commerce reimburses the general agents for their contributions paid to the States on behalf of these workers. All of the States concerned have taken action to cover these seamen. Since these seamen are Federal employees, it is necessary to amend H. R. 9709 to exclude these seamen from its coverage. Otherwise, there will be duplicate coverage of these seamen. Since these seamen constantly transfer between Government and private ships, it would seem more desirable not to disturb their coverage under State law.

I would, therefore, appreciate your introducing the attached amendment when H. R. 9709 comes up for consideration by the Senate. I am informed that Mr. REED, chairman of the Committee on Ways and Means of the House, will accept this amendment without requesting a conference on the bill.

Yours very truly,

ARTHUR LARSON,  
Under Secretary of Labor.

The amendments would also conform to the provisions of the bill to the Internal Revenue Code of 1954.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc offered by the Senator from Colorado [Mr. MILLIKIN].

The amendments were agreed to.

Mr. JOHNSON of Colorado. Mr. President, I desire to offer an amendment to the bill at page 1, line 4, to strike out "1954" and insert in lieu thereof "1956."

Mr. President, this is an important amendment, and it is one which is necessary. Unless we extend the time somewhat we shall catch many employers off base, without knowledge that this change has been made.

Under the present law any employer of eight or more people must report his employment and must pay a tax on his employment. That original provision was placed in the law by the States themselves.

I recall when the State of Colorado voted to have the formula fixed at 8 or more employees. I think all the States adopted that formula in the beginning.

There may be some very good reason for changing it to 4 or more employees instead of 8 or more. However, my contention is that employers have not had sufficient notice that this change was to be made.

I talked with the senior Senator from Georgia [Mr. GEORGE] today about this whole subject, and he told me he was



very much opposed to suddenly changing the formula from 8 or more to 4 or more.

The effect of my amendment would be to postpone the effective date for 2 years. I think that is reasonable; I think it is fair; I think it is equitable; and I think it is absolutely necessary, unless we expect to have a great deal of disappointment on the part of many employers who will feel aggrieved that they have had no notice of this very important change.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CARLSON. May I ask the Senator to what page and line his amendment applies?

Mr. JOHNSON of Colorado. Page 1, line 4, strike out "1954" and insert in lieu thereof "1956." Such an amendment would postpone the action changing the formula from 8 or more to 4 or more for 2 years, and would give employers an opportunity to know that this change is contemplated rather than slipping up on them on their "blind side."

Furthermore, the legislatures of the various States would be given an opportunity to change their laws.

Mr. CARLSON. Mr. President, will the Senator further yield?

Mr. JOHNSON of Colorado. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. The distinguished Senator from Colorado has served as governor of the great State of Colorado, and I held a similar office as governor of Kansas. I believe his amendment may have some merit. I wonder whether 2 years is not a longer period than is necessary. I should like to have the act become effective as soon as possible. I know that various States must act through their legislatures in order to have the act go into operation within their States. However, I think 2 years is a little too far to carry it forward.

Mr. JOHNSON of Colorado. Of course the legislatures ought to have an opportunity to act on the question, and they ought to have a right to make the determination. I invite the Senator's attention to the general statement in the report at page 2:

It may be appropriate that unemployment protection be extended into this fringe area—

That refers to the difference between 8 and 4—

but your committee believes that such extension should be left to State determination in the light of local variations in employment patterns.

That is what I am contending. That is why I believe the States ought to have an opportunity to act on the proposed change.

Of course the Senator from Georgia may have been mistaken, but he said to me that the Senate committee has not held hearings on this particular point, and it would be a grave error for the Senate to change that particular provision without employers throughout the Nation having notice of it.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MILLIKIN. Does not the Senator feel that the suggestion of the Senator from Kansas [Mr. CARLSON], to provide a 1-year postponement, instead of a 2-year postponement, is better? The Federal tax would not become due until early in 1956, as the bill now stands. There would be sufficient time for employers to acquaint themselves with the system.

Mr. JOHNSON of Colorado. I wish to give the States an opportunity not only to acquaint themselves with the system, but to determine whether the system is right or wrong. Of course, the bill would have to go to conference. Probably the first thing that would happen in conference would be the suggestion that the period be changed from 2 years to 1 year. Probably that is what would come out of conference. If we go into conference with provision for a period of 2 years, perhaps it will be changed to 1 year in conference. If we go into conference with 1 year, perhaps it will be said, "What difference does it make. We might as well make it effective on December 31, 1954."

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. There is a great deal of merit in the position taken by the senior Senator from Georgia [Mr. GEORGE]. He is not able to be present this evening, and I regret that he is not here, because I know he is very much concerned with this proposed change in the law. He has spoken to me several times about it.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CARLSON. I was wondering whether the distinguished Senator from Colorado would not agree, if we should accept an extension until the year 1955, that it might not be necessary to have a conference. In other words, the bill might go back to the House and the House might accept the 1-year extension, whereas a 2-year extension might require a conference.

I believe 1 year would be sufficient. Most legislatures meet at the beginning of 1955. It seems to me that would be sufficient time for legislatures to make necessary provisions and for employers to make provision. I sincerely hope the Senator will agree to that modification.

Mr. JOHNSON of Colorado. Of course, 1 year would be of great help.

Mr. THYE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. THYE. I believe the Senator from Kansas has made an excellent suggestion, because if we should provide for an extension of 1 year the legislatures which meet in 1955 would have an opportunity to amend their laws and adjust themselves to whatever change the Federal law may require of them. That is all that should be necessary. They would be alerted. They would be in a position to take care of themselves. I am sure 1 year would be sufficient.

Mr. JOHNSON of Colorado. Of course, I should be glad to bow to the judgment of my colleagues. They think that 1 year would be about right.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MILLIKIN. I believe the case that has been made for a 1-year extension is a very persuasive one. The House might accept it. I feel confident that it would not accept an extension of 2 years.

Mr. JOHNSON of Colorado. Very well. I shall bow to the judgment of my colleague.

The PRESIDING OFFICER. Does the Senator from Colorado modify his amendment?

Mr. JOHNSON of Colorado. Mr. President, I modify my amendment so as to make it read "1955." I move to strike out "1954" and insert in lieu thereof "1955."

The PRESIDING OFFICER. The Senator modifies his amendment accordingly.

The question is on agreeing to the amendment of the Senator from Colorado [Mr. JOHNSON], as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, communicated to the Senate the intelligence of the death of Hon. PAUL W. SHAFER, late a Representative from the State of Michigan, and transmitted the resolutions of the House thereon.

The message announced that the House had passed, without amendment, the following bills of the Senate:

S. 417. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 2083. An act for the relief of Lawrence F. Kramer;

S. 2496. An act for the relief of Harvey Schwartz;

S. 2632. An act for the relief of the Epes Transportation Corp.;

S. 2801. An act for the relief of Graphic Arts Corp. of Ohio;

S. 3110. An act for the relief of the Portsmouth Sand & Gravel Co.;

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.; and

S. 3562. An act for the relief of the McMahon Co., Inc.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1461. An act for the relief of Kenneth McRight;

H. R. 2781. An act for the relief of Nicholas Matook;

H. R. 3014. An act for the relief of Dr. Alfred L. Smith;

H. R. 3232. An act for the relief of Dennis F. Guthrie;

H. R. 3446. An act for the relief of Mrs. Emily Wilhelm;

H. R. 6290. An act to discontinue certain reports now required by law; and

H. R. 6529. An act for the relief of Raleigh Hill.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 1980. An act to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River in the vicinity of Jones Point, Va., and for other purposes;

H. R. 3384. An act for the relief of John B. Daniel, Inc.; and

H. R. 7853. An act to permit retired policemen, firemen, and teachers of the District of Columbia to waive all or part of their annuities, relief, or retirement compensation.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes.

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 106. Concurrent resolution to correct an error in the enrollment of H. R. 1975, to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska; and

S. Con. Res. 107. Concurrent resolution to correct an error in the enrollment of H. R. 8020, authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon.

#### PERMANENT CARGO PREFERENCE BILL—RELEASE ISSUED BY COMMITTEE OF AMERICAN STEAMSHIP LINES

Mr. BUTLER. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a release issued by the Committee of American Steamship Lines with reference to the passage by the Congress of the permanent cargo preference bill.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

Passage Thursday by the House of Representatives of permanent 50-50 legislation for American shipping will have a healthy effect on employment of merchant ships, seafaring and shoreside labor, and major ports in the country. C. C. Mallory, chairman of the Committee of American Steamship Lines, said today upon receiving word of the House action.

"This is excellent news for shipping, but also for all United States industry, depending as it does upon American-flag ships for

export and import trade," he declared. "It is a major development in augmenting individual steamship lines' efforts to insure sufficient cargoes and expanded world trade in the months ahead."

He paid special tribute to what he termed the public-interest statesmanship of the Senate Subcommittee on Water Transportation, chaired by Senator JOHN M. BUTLER, Republican, of Maryland, and the House Merchant Marine and Fisheries Committee, headed by Congressman THOR C. TOLLEFSON, Republican, of Washington, for passage of the legislation through both Houses of Congress during this session.

Mr. BUTLER. Mr. President, I was especially pleased by the action of the House of Representatives last week in passing the cargo preference bill, S. 3233, which I introduced some time ago. Having as its purpose the mandatory requirement that at least 50 percent of all United States Government cargoes be transported in American vessels, this legislation crystallizes a long standing feeling of growing substance and momentum that it is only reasonable for us to allocate this minimum portion of our cargoes to our privately owned vessels and that we would indeed be naive in not adhering to such a policy.

These opinions are not shared by many of our friends abroad, however, and as a typical illustration, I ask unanimous consent to have printed in the body of the RECORD at this point an editorial entitled "The Other Butler," which appeared in the July 8, 1954, edition of the British publication Shipbuilding and Shipping Record.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### THE OTHER BUTLER

On each side of the Atlantic there is a Butler. Here, he is Chancellor of the Exchequer now kindly disposed towards shipping—finding in it some useful metaphors for his speeches, and helping it to the limited extent he deems possible in present circumstances. In America he is a Senator, chairman of the Senate Water Transportation Subcommittee and a "staunch advocate of a strong American merchant marine." The Senator has just got through the Senate a bill which, if enacted, will perpetuate the 50-50 rule as applied to American Government-aid cargoes. Like the poor, it will always be with us. In fact, the principle has already been with us for a long time. It may not be generally appreciated that as far back as 1934 Congress passed a resolution (Public Resolution 17) that all exports financed through the Reconstruction Finance Corporation should be carried exclusively in United States flagships if available. The principle of this legislation was given a certain degree of legislative force by the Merchant Marine Act of 1936, which decreed that "a substantial portion of American cargoes should be carried in American bottoms."

When Marshall aid was given to the war-torn countries of Europe, the cargoes were sent in American ships. No one could cavil at that; it would have been churlish to object to the "postfree" gift, even if, privately, some doubts were entertained as to its effects. In some quarters it was felt that the dollars which had to be spent on freights might have been more usefully employed in helping the countries concerned to get back on their feet. Then followed the succession of Mutual Security Aid, stockpiling and Government-financed cargoes, and the application of the 50-50 provision in every case. The necessary authority to insure this had

to be written into every measure. Senator BUTLER's bill seeks to make this provision a permanent part of all American legislation which has to do with Government-financed cargoes. It is known that the United States administration is opposed to the idea and, of course, it does not follow that every bill introduced into the American legislature emerges as an act.

In this country it is not always easy to know which is the "official" and which the "business" voice of America. The recommendations of the maritime subsidy policy report issued by the Department of Commerce includes one that Government efforts should be continued to minimize the effect of discriminatory practices of foreign nations against United States flag shipping. That is a proposal which every maritime nation opposed to flag discrimination could heartily support as applied to itself, as well as to America. But then we have Mr. James Stuart, president of the American Tramp Shipowners' Association, saying that the only hope for the survival of the tramp fleet is to have certain cargoes restricted to American-flag vessels in accordance with the terms of the Butler legislation. It is difficult to see what makes discrimination improper when directed against American ships, and proper when it is exercised in favor of them.

Across the Atlantic there is a readily understood desire not to have to depend on foreign ships if another war should unhappily break out. But when that is linked with a recommendation that, to quote the report referred to above, "all Government assistance in providing cargo and protection against unfair foreign competition should be provided" for the United States merchant fleet, all kinds of questions arise. Who is to define "unfair competition"? What is a "high-cost" country? (The United Kingdom, for example, is a "low-cost" country vis-a-vis America, but a "high-cost" country as compared with some of its foreign competitors.) If every maritime country demanded, and obtained, such help from its own government as this Commerce Department report suggests, chaos would result. Government intervention in normal commercial operations is rarely successful.

Mr. BUTLER. Mr. President, while I am honored to be compared with the distinguished Chancellor of the Exchequer of the United Kingdom, I would remind our British friends that recommendation No. 15, contained on page 120 of the Maritime Subsidy Policy Report of this Government, stipulated that "The cargo preference provision of existing law should be continued as a part of our national maritime policy."

Also, Under Secretary of Commerce Robert B. Murray, Jr., in testifying before the Senate Water Transportation Subcommittee on May 3, 1954 emphatically stated: "Cargo preference legislation has been of substantial assistance in providing a firm backlog for the United States overseas fleet. This type of aid should be continued as a part of our national shipping policy."

By way of further rebuttal, I would direct the attention of our allies to another editorial published by the Baltimore Sunday American on August 8, 1954, entitled "Why Not All?" which, Mr. President, I ask to be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### WHY NOT ALL?

The President of the United States has been asked by the heads of two of the leading maritime organizations of the country,



the Merchant Marine Institute of New York and the American Steamship Association, to do what he can to break the legislative log jam now preventing approval of a bill vitally important to the American merchant marine.

The bill, unanimously passed by the United States Senate and already having the unanimous approval of the Merchant Marine Committee of the House of Representatives, is now unaccountably being held up by the House Rules Committee.

Its purpose is to require that at least half of the cargoes shipped under the foreign-assistance program paid for by the American Government be carried in American ships.

It is urgent that this be done, because the foreign-assistance cargoes comprise a great part of the total maritime traffic; and with foreign ships carrying most of it there is nothing left for American shipping lines to do but lay up their idle vessels—which is exactly what has happened to 171 ships very recently.

It would be a very reasonable requirement, and certainly a sound one, that American ships should get at least half of the maritime business for which the American people put up the money.

In fact, it would be an entirely proper requirement that all such cargoes be carried in American ships, since it seems rather silly that America should try to improve the prosperity of other countries and deliberately impair its own prosperity in the process.

Mr. BUTLER. Long did the British rule the seas and if left to them this domination would continue—at our expense. The announced policy of cargo preference, as now ratified by the Congress of the United States, offers a reasonable and essential protection for the preservation of the great American merchant marine.

#### PROHIBITION AGAINST PAYMENT OF GOVERNMENT RETIREMENT BENEFITS TO PERSONS CONVICTED OF CERTAIN OFFENSES

Mr. THYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THYE. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THYE. Mr. President, I have been informed by the majority leader that the next order of business would be Calendar No. 2261, Senate bill 2631, known as the Williams bill. I move that the Senate proceed to the consideration of Senate bill 2631.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2631) to prohibit the payment of Government retirement benefits to persons convicted of certain offenses.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota [Mr. THYE].

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2631) to prohibit the payment of Government retirement benefits to persons convicted of certain offenses, which had

been reported from the Committee on the Judiciary with amendments.

Mr. WILLIAMS. Mr. President, the pending business is now Senate bill 2631. However, House bill 9909 is before the Post Office and Civil Service Committee, which bill is the same in substance as the Senate bill. Therefore, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from the further consideration of House bill 9909, and that it be now considered in lieu of Senate bill 2631.

Mr. CLEMENTS. Mr. President, is the House bill a companion bill to the Senate bill?

Mr. WILLIAMS. It is. The House bill was introduced by Representative CRETTELLA; and in order to expedite the legislation, I should like to have the Senate consider the House bill.

The PRESIDING OFFICER. Without objection, the Committee on Post Office and Civil Service is discharged from the further consideration of House bill 9909.

Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 9909) to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes.

Mr. WILLIAMS. Mr. President, the purpose of this bill is to bar, after its enactment, the payment of annuity or retired pay based on service performed by any individual under any retirement system applying to civilian officers and employees of any branch of the Federal or District of Columbia Governments, and officers or enlisted members of the Armed Forces of the United States, to any person who prior or subsequent to the enactment of the bill was or is convicted of any criminal offense.

Under the existing law, there is no provision which will prevent employees of the Federal Government who have been convicted of crimes involving disloyalty to the United States or corruption and dishonesty in the execution of their authority from being paid full retirement pensions upon reaching the statutory retirement age.

For example, one former State Department employee who was convicted of perjury for denying that he had given highly classified secrets to an agent of a foreign power, will, under the present law, be eligible to receive regular retirement benefits upon reaching the age of 62.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. MUNDT. I presume the Senator from Delaware is referring to Mr. Alger Hiss, who is at present incarcerated in a Federal penitentiary.

Mr. WILLIAMS. That is correct. The Senator from South Dakota and I have had bills pending for several months before the Senate committee. As he knows, in a discussion of the subject, we agreed to accept the House bill in order to expedite the legislation.

Mr. MUNDT. The bills introduced by the senior Senator from Delaware and the senior Senator from South Dakota

have been before the Senate committee for considerably more than a year.

Mr. WILLIAMS. That is correct.

Mr. MUNDT. In consultation with the distinguished Senator from Kansas [Mr. CARLSON], chairman of the Committee on Post Office and Civil Service, we were advised that a similar bill was moving through the House. I quite agree with the Senator from Delaware that the best approach is to have our bills set aside and to pass the House bill, which incorporates exactly what we desire to have included in our bills. This makes a very closely drawn, clear-cut legal instrument for depriving Alger Hiss, and others like him, from receiving their pensions, while at the same time recognizing the contractual understanding by returning to them, with interest, whatever money they have invested in the pension fund.

Mr. WILLIAMS. The Senator is correct.

Mr. CARLSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. CARLSON. The Senator from South Dakota mentioned that some of the bills had been before the Senate committee for a considerable length of time.

Senate bill 2361, which was reported, and which was considered as we opened the discussion of this subject a few minutes ago, has now been replaced by the House bill, which has been before the Committee on Post Office and Civil Service for only 2 or 3 weeks, it having been previously before the Committee on the Judiciary for many months.

Mr. WILLIAMS. That is true. However, as the Senator from South Dakota has pointed out, in view of the fact that the House decided first to hold hearings, it was agreed that the Senate should wait until the House had acted, in order that there might not be overlapping in connection with the proposed legislation.

I am glad that action is now being taken before this Congress adjourns.

Mr. MUNDT. There was no implied criticism in the statement which I made. I merely pointed out a fact. More than a year ago the Senator from Delaware and I had both introduced bills on this subject, and we were quite insistent that before this Congress adjourned one of those bills should be passed.

It is entirely proper that the House bill, which was passed first, should have priority. I am perfectly willing to waive consideration of our bills and have the House bill passed, because any 1 of the 3 bills would achieve the desired result, namely, to deny to Alger Hiss, who will be eligible for parole sometime in the next 60 or 90 days, the opportunity to live the rest of his life on the taxpayers of America, as a result of having been pensioned before he committed perjury and before his espionage activities had come to public attention.

Mr. CARLSON. Mr. President, I commend the Senator from Delaware and the Senator from South Dakota for their interest in the subject. I am pleased that the Committee on Post Office and Civil Service unanimously reported the bill. The committee had under con-

sideration both the House bill and the Senate bill. I think the proper course has been followed by substituting the House bill for the Senate bill, in order that there may be prompt action.

Mr. WILLIAMS. Mr. President, there are also two cases in which former Members of Congress have been convicted by the courts of corrupt practices while in public office. In one of these cases the individual is now receiving a pension from the United States Government, while the other individual will be eligible for his pension upon reaching the age of 62.

During the past 2 years many high public officials, a large percentage of whom were employed in the Treasury Department, likewise have been convicted in the courts of such crimes as bribery, embezzlement, and the like. In each of these cases, unless the retirement laws are amended, the convicted officials will upon reaching the statutory retirement age be eligible for all the retirement benefits which are now extended to honest public officials. That is wrong. No public official who has been convicted by the courts of having unlawfully used his position to enrich his own personal fortune or who willfully betrays his country to a foreign power should be pensioned at the expense of the American taxpayers.

Our retirement laws were enacted to provide some degree of security for faithful Government employees who, after spending many years in Government service, reach the age of retirement.

The bill would accomplish the following purposes:

First. It would prohibit the payment of a retirement annuity to any Member of Congress, public official, or member of the armed services who has been convicted of accepting bribes or other offenses involving the improper use of authority or power derived from his office, or to persons convicted of certain crimes involving disloyalty to the United States.

Second. It would provide for the refund to the convicted employees of their contributions to the retirement fund.

The refund of the retirement payments in cases in which the benefits are rescinded is only fair, since to confiscate those funds would, in effect, be a fine in addition to that imposed by the courts.

The bill would apply to all Federal employees, including Members of Congress.

Mr. President, for myself and on behalf of the Senator from Kansas [Mr. SCHOEPP] and the Senator from Michigan [Mr. FERGUSON] I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 7. (a) Section 3282 of title 18 of the United States Code is amended by striking out "three" and inserting in lieu thereof "five."

(b) The amendment made by subsection (a) shall be effective with respect to offenses (1) committed on or after the date of enactment of this act, or (2) committed prior to such date, if on such date prosecution

thereof is not barred by provisions of law in effect prior to such date.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS] for himself and on behalf of the Senator from Kansas [Mr. SCHOEPP] and the Senator from Michigan [Mr. FERGUSON].

Mr. WILLIAMS. Mr. President, the purpose of this amendment is to extend from 3 to 5 years the statute of limitations with respect to a certain list of crimes. The same amendment was previously agreed to by the Senate and attached to the tax bill, H. R. 8300. However, the amendment was not retained in conference.

The amendment is very important. I think it is appropriate to include it in this bill which has already passed the House. By so doing we can expedite the consideration of both legislative questions before Congress adjourns. Therefore, I ask that the Senate agree to the amendment.

The Department of Justice has urgently requested that the amendment be accepted. In recent weeks the great need of this amendment has been pointed out in connection with cases involving former Government officials. Cases have been referred to the Department only to be returned with the notation that the statute of limitations had expired. As a result certain corrupt public officials will go unpunished.

Congress would be negligent in meeting its responsibilities if it did not make certain that both these measures were enacted before we adjourn.

In discussing the need of extending the statute of limitations from 3 years to 5 years it must be remembered that oftentimes the corrupt act of the public official will go undetected months or perhaps even years. Therefore the need of a greater length of time than the existing 3-year limit is apparent.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. GILLETTE. Will the Senator from Delaware comment upon the effect of the bill in increasing the penalty imposed upon a person who had been convicted at a prior time? Would not the penalty be increased because of the enactment of the bill?

Mr. WILLIAMS. That portion of the bill to which the Senator is directing his remarks provides for the refund to the employee of all his contributions to the retirement fund, plus accumulated interest, in exactly the same manner as if the person had voluntarily withdrawn his money.

The committee decided, in reporting the bill, that it would be unfair to confiscate the contributions of the former employee, because to do so would, in effect, represent a fine in addition to that imposed by the court. The bill merely provides that if a person is convicted—and he must have been convicted of a crime which is among those specified and which relates to the official conduct of his office—such individual shall have no further rights under the retirement system of the Government.

Mr. GILLETTE. Would not the effect be that the individual would have no choice in the matter?

Mr. WILLIAMS. That is correct.

Mr. GILLETTE. The amount he has paid, with the accumulation of interest, will be refunded; but, in effect, a person who has been convicted and sentenced at a prior time will now have an additional penalty imposed upon him by being involuntarily placed in a position in which he will be deprived of vested rights.

Mr. WILLIAMS. That is correct. He cannot avoid that; although in cases in which an individual has not been on retirement and has not collected the full amount of retirement contributions, the individual will automatically receive an additional check. If he has been on retirement and has collected more, the bill would not provide that he should make a refund but that payments would automatically stop with conviction.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. ANDERSON. Would the bill involve cases other than the so-called Hiss case?

Mr. WILLIAMS. Yes, the bill would involve the case of any employee of the Government who had betrayed his trust or used his position to enrich his own personal fortune by accepting bribes or selling his influence and for which he had been convicted in the courts.

Mr. ANDERSON. A Member of the House was convicted some time ago. His crime was not too well established; but apparently he had been guilty of a technical violation of the law. He is now out of Congress. Would the bill include him, as well? I have no objection to including the Hiss case.

There are several people that I can recall who have got into difficulties. While I do not wish to go back and retry their cases, I thought some of them were pretty decent sort of public servants. I am just wondering if the bill includes them all, or whether it hits directly at the Hiss case.

Mr. WILLIAMS. The bill takes in all Government employees who are convicted by the courts of crimes committed while in office. It does not attempt to spell out or pass upon the merits or demerits of the crime but recognizes that crime only after they are convicted in the courts of some act which was in relation to their official duties.

Mr. CARLSON. I should like to add that it must be a criminal offense.

Mr. ANDERSON. I was thinking of a former Representative from the State of Kentucky, one from the State of Ohio, and one from the State of New Jersey. Those three cases come to my mind. Apparently they were found guilty. Personally I never thought they were too evil characters. I wondered what the situation would be. Would they all be covered by the bill? I think there is a difference between a man who makes a mistake, probably a serious mistake, and a man who has been charged with selling his country down the river, as has been charged in the Hiss case.



Mr. WILLIAMS. Unquestionably there is a difference in cases. That difference would be taken into consideration at the time the court sentenced the man. We cannot pass on that. All we are passing upon is the right of a Government employee who has misused his office or who has betrayed his country to be carried on the retirement rolls. That is the question with which we are confronted. Personally, as one individual, and as the sponsor of proposed legislation, it was and is my contention that such persons should forfeit their rights to retirement benefits.

The bill does provide for the complete refund, with interest, of all the contributions which such individuals might have made prior to the time of their conviction.

This bill would also cancel the retirement benefits of any Government employee who claims the fifth amendment as the basis of refusal to give testimony regarding the official conduct of his Government office.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Is it not true that a Government employee enters into a contract with the Government in which he says, "You take so much out of my pay every month, and when I reach a certain age I shall receive a certain amount of annuity"? Does not a Government employee enter into such a contract?

Mr. WILLIAMS. It is true in one sense of the word that he enters into a contract, but it is also true that he must become a Government employee before he is entitled to retirement benefits, and when he becomes a Government employee he signs an oath that he will discharge his duties in a lawful manner and that he will be loyal to the United States Government. It is only after he violates his oath of office, or his contract, that the forfeit goes into effect. Thereafter all contracts with the Government are void.

Mr. JOHNSTON of South Carolina. Is this not a proposal to put an additional penalty on a man which was not contemplated at the time he entered into a contract with the Government?

Mr. WILLIAMS. No. We will be taking from him only a privilege. In the one Department alone to which reference has been made, there have been 214 indictments in the last 18 months, and there have been over 100 convictions. I do not think the American people will want to keep on the permanent retirement rolls persons who have forgotten that they accepted a public office and a public trust. I repeat again, the terms of the bill would not apply in the cases where men are merely charged or indicted; they would apply only in cases where there have been convictions by the courts for criminal action.

Mr. ANDERSON. Mr. President, will the Senator yield further?

Mr. WILLIAMS. I yield to the Senator from New Mexico.

Mr. ANDERSON. I dislike to mention names and cases and drag them into the debate, but I see no other way

out. There was a Member of the House of Representatives from the State of Kentucky, Representative May, who was chairman of the Military Affairs Committee when I was in the House of Representatives. We all thought pretty highly of him. We thought he was a patriotic, energetic person.

There was no question of loyalty involved. He became mixed up in some sort of controversy. I have forgotten exactly what it was that he was convicted of. Will the bill change the terms of the conviction? I am also thinking of the case of Representative Parnell Thomas, who was of an opposite political faith of mine, and who was very active in the Un-American Activities Committee. I did not approve of what he did. I did not like the way he ran the committee. However, he was mighty nice to me when I used to speak to him on the floor. He ran afoul of the law and was convicted. Would the bill change the terms of that conviction and the terms of the contract having to do with his pension? I am only asking that question.

Mr. WILLIAMS. First, I should like to emphasize that the bill would cover all Government employees as well as the two individuals mentioned, but since those two have been mentioned, let us deal with them. In both of those instances, those men were serving in the Congress prior to the time that any retirement system was established for Members of Congress. They were elected to serve, and they served their terms of office not expecting any retirement benefits. After they left Congress, retirement benefits were provided. In the case of the Representative from Kentucky, at the time he was convicted and sentenced to jail no retirement benefits were in effect as far as Members of Congress were concerned, because the congressional retirement system went into effect in 1946. Congress retroactively gave Members of Congress the right to make back payments and thereby become eligible. As far as the Congressman from Kentucky is concerned, when he was elected to Congress and when he signed his oath of office, he did not know there was going to be any retirement benefits, nor were there any deductions made from his pay for such retirement benefits.

By no stretch of imagination could it be said we are taking anything from him.

Mr. ANDERSON. He did make payments and entered into a contract.

Mr. WILLIAMS. The Representative from Kentucky, or any other Member of Congress, after the retirement law went into effect, could qualify under the law but surely that law was never intended to protect crooks or in Alger Hiss' case, a traitor.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from South Dakota.

Mr. MUNDT. We certainly would not be taking away any right. They have certain privileges as Members of Congress, if they desire to pay in a part of their salaries in order to contribute to the retirement fund. That law was en-

acted comparatively recently, starting in about 1948. If there are Members of the Senate or of the House who want to insist that the American taxpayers should be taxed to pay pensions to chiselers and crooks, we ought to take a yea and nay vote and find out just who want to tax the homefolks so the Government can pay pensions to jailbirds. This is a little astonishing to me. If that is going to be done, we should have a yea and nay vote. In my opinion, the bill should be passed unanimously. The proposal is to take away from the faithless people nothing but a privilege, and they will be returned every dime that they contributed, as well as interest. I do not think we should ask the taxpayers to contribute to pensions to faithless officeholders or chiselers.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from Minnesota.

Mr. THYE. The question I wish to ask is that before such persons would be deprived of the rights of any retirement funds which have been accumulated to their credit, they would have to be convicted in a court. Is that correct?

Mr. WILLIAMS. That is correct, and then they will get all their contributions plus interest back. Surely that is as much as they have any right to expect.

Mr. THYE. Before any benefits would be taken from a Federal employee, the courts of the United States must have found him guilty of a violation, and then and then only would the retirement benefits be taken away from him. Is that correct?

Mr. WILLIAMS. That is right. The bill does not propose to stop a pension because a man would be charged with something on the floor of the Senate or even because a man might be indicted by a grand jury. He must be convicted by the courts. After he has been convicted by the court, the provisions of the bill would go into effect.

Mr. MUNDT. The issue is very clear. It is whether Members of Congress desire to have people back home pay taxes which will go toward the payment of pensions to jailbirds or not. They have to be a jailbird before pensions are stopped.

Mr. FERGUSON. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. FERGUSON. I was a sponsor, I believe, of the original Senate bill in regard to these pensions. When I introduced the bill, I thought Government officers and employees convicted of such offenses were entitled to have their payments returned, with interest. I always thought that was a fair way to deal with the situation.

The House has passed House bill 9909. I hope the Senate will pass the House bill, as a proper way to deal with Government officers and employees who have been unfaithful to the trust reposed in them.

Mr. WILLIAMS. I certainly agree; and I hope the Senate will also adopt the amendment to give the Department of Justice 2 more years to catch these individuals.

Mr. FERGUSON. I should like to join the Senator from Delaware in sponsoring that amendment, if he is agreeable to having me do so.

Mr. WILLIAMS. I am glad to have the Senator from Michigan join in both proposals.

Mr. FERGUSON. I feel that the Statute of Limitations should be extended for that purpose. The new administration has taken over, and is investigating these cases. It would be sad if, while the administration is investigating the cases, the Statute of Limitations were to expire and these persons were permitted to go scot free.

As to those with respect to whom the Statute of Limitations has not run on the day we pass the bill, the statute should be extended.

Mr. WILLIAMS. That is correct.

Mr. COOPER. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. HENDRICKSON. Mr. President, if the Senator from Delaware will yield to me, I was about to request that this bill be temporarily laid aside, so that the Senate might proceed to consider the conference report on the farm bill, a privileged matter.

Mr. WILLIAMS. I believe the Senate can take final action on this measure in a moment or two, if the Senator from New Jersey will withhold his request. It is important that this bill be passed tonight in order that the House can act before adjournment.

Mr. HENDRICKSON. Very well.

Mr. COOPER. Mr. President, there is no question about the power of Congress to legislate prospectively. I wish to ask the distinguished Senator from Delaware whether he considered the question of whether Congress can legislate so as to have the effect of abolishing contracts which have been entered into before the enactment of this bill. I am not trying to argue on the merits of the bill or whether the bill should be passed or should not be passed. I think all of us agree that no one who is a traitor to his country should be rewarded by his country. On the other hand, there is a problem which cannot be answered in that way.

Did the committee consider whether Congress can legislate retrospectively to dissolve or abrogate a contract?

Mr. WILLIAMS. That question was considered by both the House committee and the Senate committee. I know the Senate committee was unanimous in its decision in regard to that question, and I believe that the House committee was likewise unanimous in holding that Congress had a right to repeal these retirement benefits for convicted employees as well as the right to extend the statute of limitations from 3 to 5 years in order to have adequate time to catch corrupt officials. The Department of Justice has been pleading for this authority.

As the Senator from South Dakota [Mr. MUNDT] has pointed out, we do not owe these persons anything. It is a privilege to come under the Government retirement system, and the Government makes contributions to that system. This bill provides that all the money such persons have contributed to the retire-

ment system shall be repaid to them, with interest.

The Attorney General, the Senator from Michigan [Mr. FERGUSON], who is an able lawyer, and many other members of the committee have agreed that the Government could not extend the statute of limitations retroactively. This measure applies only to cases in which the statute would not have run on the date of enactment of the bill. The amendment does not apply retroactively to extend the 2-year statute of limitations in regard to a case which expired yesterday.

The Attorney General advised that to make the bill retroactive would be unconstitutional, and that was the decision of the members of the Judiciary Committee as well.

Mr. COOPER. I am not speaking of the amendment relating to the statute of limitations. My question relates to the contract.

Mr. MORSE. But let me point out that is not a right.

Mr. WILLIAMS. When these persons accepted public office, they signed or took an oath that they would live up to the laws of the United States and would be loyal to our country. Once they violate that oath of office, the Government has a right to terminate any contract it may have with them.

Mr. COOPER. The Senator from Delaware stated, I believe, that the Attorney General rendered an opinion relating to the statute of limitations. Does the committee have from the Attorney General an opinion on the question of whether payments could be cut off in connection with contract arrangements entered into before the enactment of the bill?

Mr. WILLIAMS. I do not know whether or not the chairman of the committee had such an opinion on the retirement question. Congress does not usually request the Attorney General to state whether Congress can raise or lower the civil-service-retirement benefits. The Senator from Kentucky knows that on many occasions Congress has voted to increase benefits under the system. Congress has full authority in that respect. After all, Congress enacted the law providing such benefits.

In this case we are not proposing to affect any honest employee or loyal citizen. Surely at no time was it ever intended that we should protect and give financial security to a crook, a jailbird, or a traitor to his country.

Mr. COOPER. I am not discussing the merits of the situation; I am discussing the right of Congress.

Mr. WILLIAMS. Mr. President, I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MUNDT. Mr. President, on this question, I ask for the yeas and nays.

Mr. WILLIAMS. Mr. President, I request the yeas and nays.

The yeas and nays were not ordered.

Mr. FERGUSON. Mr. President, as I understand, an agreement has been reached between the majority leader and the minority leader that there will be no yeas-and-nays vote at this time.

Mr. HENDRICKSON. That is correct.

Mr. FERGUSON. Then we should respect the agreement.

Mr. CLEMENTS. Mr. President, I wish to ask a question of the distinguished Senator from Delaware. In view of the agreement between the majority leader and the minority leader, does the Senator from Delaware wish to request a yeas-and-nays vote at this time? Instead, why not defer final action on the bill until tomorrow?

Mr. HENDRICKSON. Mr. President, that was what I had in mind—namely, to lay aside this bill, and have the Senate proceed to consider the conference report on the farm bill. The Senator from Vermont [Mr. AIKEN] has been waiting all afternoon to have the conference report on the farm bill taken up.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. WILLIAMS. Mr. President, on the question of the final passage of House bill 9909, I request a division.

Mr. FERGUSON. Mr. President, I ask for a division.

Mr. CHAVEZ. Mr. President, why should the Senate be governed by what the majority leader and the minority leader say? This is still the Senate of the United States.

The PRESIDING OFFICER. House bill 9909 having been read the third time, the question is, Shall it pass?

The yeas and nays have been requested, but there was not a sufficient second.

Mr. WILLIAMS. Mr. President, on this question, I ask for a division.

Mr. FERGUSON. Mr. President, I join in the request for a division.

The PRESIDING OFFICER. On this question a division is requested.

Mr. LANGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. LANGER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

House bill 9909 having been read the third time, the question is, Shall it pass?

On this question a division has been requested.

Mr. WILLIAMS. Yes, Mr. President; I have requested a division on this question.

The PRESIDING OFFICER. A division is requested, and the Senate will proceed to divide.



On a division, the bill (H. R. 9909) was passed.

The PRESIDING OFFICER. Without objection, Senate bill 2631 will be indefinitely postponed.

#### ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate recesses tonight, it recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### INCREASE IN BORROWING POWER OF COMMODITY CREDIT CORPORATION

Mr. KNOWLAND. Mr. President, I move that the Senate now proceed to the consideration of Calendar No. 2499, H. R. 9756, a bill to increase the borrowing power of the Commodity Credit Corporation.

The PRESIDING OFFICER. (Mr. REYNOLDS in the Chair) The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9756) to increase the borrowing power of the Commodity Credit Corporation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. KNOWLAND. Mr. President, there is a privileged matter at the desk, namely, the conference report on the farm bill.

#### AGRICULTURAL ACT OF 1954— CONFERENCE REPORT

Mr. AIKEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9680) to provide for the continued price support for agricultural products, to augment the marketing and disposal of such products, to provide for greater stability in agriculture; and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Aug. 17, 1954, pp. 14827-14834, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. AIKEN. Mr. President, at this time of the night I am sure the Senate does not wish to have me review the contents of the entire bill, so I shall state the differences between the Senate amendment to H. R. 9680, or the Senate version of the bill, and the bill as it comes from the conference. The conference substitute differs from the Senate amend-

ment to H. R. 9680 in the following respects:

First. The commodity set-aside is to be made "as rapidly as the Secretary of Agriculture shall determine to be practicable." Transfer of set-aside commodities for foreign aid purposes is to be restricted to disposition for disaster or other relief purposes, subject to the limitation of title II of the Agricultural Trade Development and Assistance Act of 1954. The method provided by title I of the Agricultural Trade Development and Assistance Act of 1954 is specified as a method of sale or barter of such commodities. Commodities transferred from the set-aside to the national stockpile established by the act of June 7, 1939, are to be included in the computation of total supplies for allotment and quota purposes.

Second. The Commodity Credit Corporation is specifically authorized to use any method determined necessary by the Secretary to dispose of surplus dairy products and to expend up to \$50 million annually between September 1, 1954, and June 30, 1956, to increase the consumption of fluid milk by children in non-profit schools of high school grade and under.

Third. The conference substitute contains a statement of legislative policy with respect to dairy products; directs the Secretary to utilize existing authority for dairy products disposal programs; authorizes the Commodity Credit Corporation to make dairy products available to the Armed Services and to hospitals under the jurisdiction of the Veterans' Administration or the Department of Defense in excess of normal requirements; authorizes the Commodity Credit Corporation to transfer up to \$15 million annually for 2 years to the brucellosis eradication program (the Commodity Corporation to be reimbursed through appropriation); and directs the Secretary of Agriculture to make a study of the various methods of production control and price supports for dairy products.

Fourth. The conference substitute leaves the Secretary of Agriculture's authority to undertake diverted acreage programs permissive, rather than requiring him to undertake such programs; and provides that in a disaster area under Public Law 875, 81st Congress, such programs shall be administered in such manner as will most quickly restore the normal pattern of its agriculture.

Fifth. The conference substitute requires the Secretary to obtain assurances, to the extent practicable, that producers receive the maximum benefits from any price support or surplus removal operation carried out through purchases from or loans or payments to processors.

Sixth. The conference substitute provides for proclaiming the wheat acreage allotment by May 15, rather than July 15, each year and for proclaiming wheat marketing quotas by May 15, rather than July 1, each year.

Seventh. In lieu of the commercial wheat area provision of the Senate amendment, which would have excluded from the commercial area States normally planting 150,000 acres or less to wheat, the conference substitute would

exclude States receiving an allotment of 25,000 acres or less.

Eighth. The conference substitute includes a provision authorizing county committees which elect to make cotton farm acreage allotments on a historic basis (a) to make adjustments for abnormal conditions affecting planting; (b) to make provision for small farm allotments in the manner prescribed by section 344 (f) (1) of the Agricultural Adjustment Act of 1938; and (c) to limit farm allotments to 50 percent of the cropland.

Ninth. The conference substitute includes a provision making permanent the provisions for voluntary surrender of cotton acreage allotments heretofore applicable only to 1954 and 1955 allotments.

Tenth. Under the conference substitute the provision of the Senate amendment rendering violators of acreage allotments on basic commodities ineligible for soil conservation payments would be (a) effective beginning with the 1955 crops, and (b) applicable only to persons harvesting a basic commodity after it had been determined by the Secretary to be in excess of his allotment—rather than to all persons planting in excess of their allotments. A provision now applicable to cotton would be enlarged to permit the producer of any basic agricultural commodity to adjust his acreage prior to harvesting to bring it within the allotment.

Eleventh. The provision in the Senate amendment giving acreage allotment relief to wheat farms in the summer fallow areas would not, under the conference substitute, be limited to farms planting less than 640 acres to the 1952 and 1953 crops. In lieu of this limitation, the conference substitute provides that the relief afforded by this provision will be given only on the first 640 acres of the adjusted base acreage for the farm.

Twelfth. The conference substitute directs the Secretary of Agriculture to make a study of various two-price systems for rice.

Thirteenth. The provision of the Senate amendment prohibiting imports of certain commodities which do not comply as to grade, size, quality, or maturity with marketing orders applicable to domestic production would be extended by the conference substitute to include green peppers, cucumbers, and eggplants. Under the conference substitute if there is more than one order applicable to domestic production, the imports would be required to comply only with the order applicable in the production area with which the imported commodity is in most direct competition.

Fourteenth. The wool price-support provisions were restricted to wool marketed between April 1, 1955, and March 31, 1959. The maximum price-support level for shorn wool was fixed at 110 percent of parity, and the support level for mohair was fixed at a level within 15 percent of the percentage of parity at which shorn wool is supported. Amounts necessary to reimburse Commodity Credit Corporation in connection with payments are appropriated annually by the conference substitute in an

amount not exceeding 70 percent of the customs receipts on wool and wool products.

Fifteenth. The provision of the Senate amendment denying acreage allotments to lands leased from the United States has been omitted from the conference substitute.

Sixteenth. The provisions of the Senate amendment relating to national forest administration have been omitted from the conference substitute.

Seventeenth. The title would be amended to read as follows: "An act to provide for greater flexibility in agriculture; to augment the marketing and disposal of agricultural products; and for other purposes."

Those are the differences between the bill as it left the Senate and the bill arrived at in conference, which I am now reporting.

Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. AIKEN. I yield.

Mr. LANGER. What became of the Senate amendment dealing with the election of county committees?

Mr. AIKEN. That provision remains in the bill.

Mr. LANGER. Is that provision in the conference report?

Mr. AIKEN. It is.

Mr. HOLLAND. Mr. President—

Mr. AIKEN. I have not mentioned the provisions which were in the bill as it left the Senate and which remained as they were in the Senate version of the bill.

Mr. LANGER. Mr. President, the Senator from North Dakota expects to vote against the conference report. He makes that announcement because of the fact that it is expected to have a voice vote, not a yea and nay vote. I am against the bill, and I desire the RECORD so to show.

Mr. YOUNG. Mr. President, there are many provisions in this farm price-support legislation which are very desirable and will be helpful to farmers. They are in the best interest of the Nation as a whole. However, I am opposed to so many provisions contained in the bill or conference report, that I feel I must vote against it.

First. It sets a precedent for lower support levels at a time when farmers can least afford to take them. I think lower support prices are not in the best interest of either the farmers or the consumers.

Second. This bill provides more rigid controls and more regimentation than we have ever had before. I think this is entirely uncalled for, particularly at a time when the farmers of the Nation have complied admirably with all the requests of the Government for rigid controls, marketing quotas, and everything else.

Mr. President, I know the hour is late, but I had prepared some remarks, hoping that the conference report would come before the Senate earlier in the day. These remarks require only about

10 minutes, and I hope the Senate will bear with me while I make these few comments.

Mr. President. I have repeatedly pointed out to the Senate of the United States that the Benson farm plan of lowering price supports to farmers would do great injury to the farm economy—without reducing prices to the consumers. The lowering of farm commodity prices for many months now has been of little or no benefit to the consumers.

When the major bread bakers of the United States were assured the Benson plan of lower price supports for wheat would go into effect, they immediately announced—not a reduction of bread prices to consumers—but an increase. There was a similar increase of one cent a loaf a year ago when wheat prices dropped to the lowest level for the year. This was just before the farmers voted on wheat quotas.

The average price received by farmers for wheat has decreased from \$2.81 a bushel in 1948 to the present average farm price of \$1.91 a bushel. During exactly this same period of declining wheat prices, the average price of a 1-pound loaf of bread has increased from 13.8 cents to 18 cents a loaf. Now we may add a cent a loaf to the 18 cents average price which consumers were paying up to a few days ago. The present farm value of wheat in a 1-pound loaf of bread is only 2½ cents.

Mr. President, the New York Times of Saturday, August 14, 1954, carried a news story entitled "Price Rise Likely for White Bread"; and the subhead is: "Major Brands May Follow Dark Loaves—Higher Costs Include Durum Wheat." The article states that leading brands of white bread produced by the country's biggest commercial bakers are likely to increase in price following a trend already set by two concerns.

The breadmakers are increasing the cost of bread at almost precisely the same time that the Benson farm plan, lowering price supports for wheat producers next year by approximately 18 cents a bushel, is approved by Congress. The Benson plan would reduce the minimum support price next year to 75 percent of parity, and, following that, a switch-over to the so-called modernized parity formula. In all, this would mean a reduction in wheat support prices of approximately 70 cents a bushel.

According to the New York Times article, the bakers cite the "drastic increase in the cost of flour" and the fact that the price of hard wheat—the kind used for bread—is high as reasons for raising the price of bread. They claim there is a shortage of hard wheat. Actually, there is no shortage of good hard wheat. Most of the better grades of hard wheat—and this is particularly true with respect to this year's spring wheat crop—have a higher protein content than last year's crop.

Unfortunately, more than half of the 741,654,000 bushels of wheat now being held by the CCC is either feed wheat or wheat of a very poor baking quality. It is also true that a very high percentage of the wheat now being produced is of

very poor baking quality, and practically its only use is for feed purposes. Flexible price supports will not remedy this situation. The answer lies in providing a lower support price for high per acre yielding feed wheat—and a higher price support for the lower yielding high quality baking wheats.

Mr. President, at this point I ask unanimous consent to have inserted as a part of my remarks a table prepared by the Department of Agriculture indicating average per acre yields of wheat in a few of the principal producing States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Average harvested yield per acre for wheat, 1949 through 1953*

	1949	1950	1951	1952	1953	5-year average
Maryland.....	19.0	18.5	20.5	20.5	20.5	19.8
Illinois.....	23.0	19.5	19.0	23.0	27.0	22.3
Michigan.....	26.5	26.0	25.0	25.5	29.5	26.5
Kansas.....	11.0	14.5	13.0	21.0	12.5	14.4
Minnesota.....	15.1	16.7	18.6	14.7	16.2	16.3
North Dakota.....	10.6	13.9	13.9	10.2	10.3	11.8

Mr. YOUNG. It will be noted that the States producing the high-protein hard wheats—such as Kansas, Minnesota, and North Dakota—have much lower per acre yields than the soft wheat producing States of Maryland, Illinois, and Michigan. This is not to say that the producers of wheat in the spring wheat and hard winter wheat areas could not attain high per acre yields if that were their only objective. For a long period of years the farmers of this area have only planted wheats of very high baking quality. Unfortunately, the quality types of wheat are invariably less resistant to rust and other diseases, and are much poorer yielders.

If the Department of Agriculture continues to make available higher support prices for the poorer qualities of wheat, then there is great danger that the farmers producing the high quality wheats will turn to types of wheat that will yield higher but will have poorer baking qualities. The Secretary of Agriculture has wide discretionary authority to provide these necessary price differentials. Actually, Mr. President, by the action of the Secretary of Agriculture on July 23, 1954, the support price for low quality wheat used mostly for feed purposes was increased, and the support prices for the good baking quality wheats were reduced.

The excuse for such unwise action by the Secretary of Agriculture was indeed a weak one. I doubt if there is an agriculture authority in the whole United States who would support this unwise move. This action by the Secretary will tend to further increase the production of wheat in some areas of the United States where the economy undoubtedly would be better suited to other types of agriculture.

This action by the Secretary of Agriculture will do great injury to the wheat-producing States of the Midwest—those that produce the high quality baking wheat such as North Dakota, Montana,



South Dakota, Nebraska, Kansas, and many others. Secretary Benson has claimed on many occasions that the present price-support program for wheat has failed because the cash price in the past year has ranged considerably below support levels. This contention has been echoed by many of his flexible price-support followers in and out of the Congress of the United States.

In many States there is considerable spread between the actual cash prices paid in the marketplace for feed wheat and the United States Government support price. This disparity will be increased further, as I pointed out, by Secretary Benson's order of July 23. In Maryland the support price is \$2.46 a bushel. On August 6, 1954, the cash price in Baltimore, as determined by the Department of Agriculture, was only \$1.99 a bushel. This is the market where most of the wheat produced in Maryland is marketed. You will note from this that the cash price of this wheat, used mostly for feed purposes, is 47 cents a bushel below support prices.

We find a quite similar situation in Illinois where the support price is \$2.37 a bushel and the cash price on August 6 was only \$2.08 $\frac{3}{4}$  per bushel. Again, this disparity of 29 cents a bushel between the cash price and support price is due almost entirely to the type of wheat produced in that area.

The cash price for wheat in the Minneapolis market for the past 2 years or more has averaged about 30 cents a bushel above the cash prices received in the Chicago market. As of August 6, the cash price in the Minneapolis market, for example, was \$2.41 $\frac{1}{2}$  as compared to the Chicago cash price on that day of \$2.08 $\frac{3}{4}$  a bushel.

The cash price received in the Kansas City and Minneapolis areas has averaged much closer to the support level. The Minneapolis cash price for several years has been above support levels for wheat in the Minnesota, North Dakota, Montana, and South Dakota areas, from which Minneapolis derives most of its wheat shipments.

May I emphasize again that the Secretary of Agriculture has wide discretionary authority under the present law to provide more equitable differential prices between the producers of high quality baking wheat and the producers of feed wheat. The wide disparity between the cash prices received by farmers for feed wheat and the support price can be charged almost entirely to the failure of the Department of Agriculture, for many years, to provide the necessary equitable support prices for quality wheat production.

May I point out to the Members of the Senate that when farmers receive wheat price-support loans they have 10 cents a bushel advance storage costs deducted from that loan by the Commodity Credit Corporation. Other costs are also deducted from the price-support loan a farmer receives. Thus, many farmers elect to sell their grain on the cash market when it is possible to secure within 12 or 15 cents of the price they would receive under the price-support program.

The New York Times story quotes the bakers as claiming the shortage of durum

wheat is largely responsible for the increased cost of flour and resultant price rises for bread. This is a bit far fetched. Durum wheat is used almost exclusively as an ingredient of macaroni products. More than 90 percent of all the United States supplies of durum wheat are produced in North Dakota. The shortage of durum wheat—and there is one—is due entirely to the failure of our great plant breeders to develop new types of durum wheat which would be more resistant to the new devastating strain of rust known as 15-B.

We have been far too niggardly in the past in providing research funds to help our plant breeders. We must not let this happen again. As a result, both the producers of durum wheat and the millions of consumers of macaroni products are now not only paying a higher price for this fine food, but are receiving a poorer quality.

For the past year, because of the extreme shortage of durum wheat, the producers of macaroni products have had to substitute a very high percentage of other wheats, mostly of the high protein hard spring wheat. Quite naturally, this has resulted in somewhat poorer quality macaroni products.

I sincerely hope that the Secretary of Agriculture will reverse the action he took on July 23, which, in effect, increased the support level for wheats used almost exclusively for feed purposes and lowered the support levels for the high quality baking wheats.

I ask unanimous consent to have placed in the RECORD as a part of my remarks the article referred to which appeared in the New York Times under date of August 14, 1954, entitled "Price Rise Likely for White Bread."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**PRICE RISE LIKELY FOR WHITE BREAD—MAJOR BRANDS MAY FOLLOW DARK LOAVES—HIGHER COSTS INCLUDE DURUM WHEAT**

Leading brands of white bread, produced by the country's big commercial bakers, are likely to increase in price, following a trend already set by two concerns.

S. B. Thomas, Inc., announced yesterday that it had raised the wholesale cost of its dark bread a penny a loaf. On Monday the Ward Baking Co. will charge an additional cent at wholesale for its protein loaf. These increases probably will be passed on to consumers by retailers.

George L. Morrison, president of General Baking Co., maker of Bond bread, said recently that "a price increase is the only logical move in view of the constant cost pressures from diverse factors."

These factors included a drastic increase in the cost of flour and higher prices for shortening and for labor. Mr. Morrison did not say exactly when the price rise would go into effect.

A spokesman for the Continental Baking Co., producer of Wonder bread, would not comment on the possibility of a price increase here. He did say, however, that the company had recently raised its bread a cent a loaf on the west coast and in Washington, D. C.

Bakers note that though there is a surplus of soft wheat, the price of hard wheat—the kind used for bread—is higher. But there is no shortage of hard wheat. The Wheat Flour Institute of Chicago, representing the Nation's wheat growers, reported yesterday

that the hard wheat crops, both spring and winter, were ample to meet domestic demands.

The troublemaker is durum wheat, an especially hard variety of hard wheat that is the principal ingredient in macaroni products. For the last two years disease and adverse weather have reduced this crop and this year Federal reports indicate that supplies will be scarcer than ever.

Macaroni manufacturers, many of whom formerly used only durum for their products now must turn to other hard wheats entirely or in combination with whatever durum they can get. It is the demand from this quarter that has increased the cost of the hard wheats that bread makers must use.

Mr. MUNDT. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG. I yield.

Mr. MUNDT. I congratulate my colleague from North Dakota on his very adequate and helpful discussion of the bill as it comes from the conference committee. I shall have to oppose the adoption of the conference report, because, while it has some very fine qualities—the wool section for example—the adoption of the program carrying the possible support level to 82 $\frac{1}{2}$  percent is a hazard for the farmers which I will not endorse or underwrite.

I congratulate my colleague for the job he did in the conference. I talked with him several times during the course of the conference, and I know he was outnumbered, but he was not outmaneuvered. He was outvoted. He put up a strong case. He represented the position of a majority of us on the Senate Agriculture Committee but he represented the minority point of view of the Senate as a whole, unfortunately.

I should like to say further to my colleague from North Dakota that, like him, I have some doubts about the high hopes held by the advocates of this proposed legislation when they say it is a step toward greater agricultural prosperity. We all want the farmer to prosper and succeed; but I fear, as I say, that the present bill will not lead to agricultural prosperity, and I shall vote against the conference report in the hope that if we send it back to conference they can improve it.

After voting against the sliding price support amendment last week substituting 82 $\frac{1}{2}$  percent to 90 percent price supports for our committee bill to continue straight 90 percent supports, I then voted for the Senate version of the farm bill on final passage since to have defeated it at that time would have caused us to revert to the Anderson bill of 1949 with its drastic version of flexible price supports ranging from 90 percent all the way down to 75 percent. However, we now face quite a different situation on this conference report. Instead of improving the Senate version in my opinion the conferees have weakened it and by defeating the conference report at this time we can send the bill back to conference where perhaps dairy supports could be raised at least to 77 $\frac{1}{2}$  percent—perhaps to the House version of 80 percent—and other correctives could be added.

At least we now run no risk of getting the 75 percent to 90 percent sliding supports because a vote against this conference report sends the whole bill back

to conference—it does not kill the legislation as would have been the case had the Senate version of the bill been defeated on final passage by our votes of last week. I urge that the conference report be defeated and that the farm bill be sent back to conference for further revision in the same manner that the atomic energy bill was slowly but surely corrected by sending it back to conference. A vote against the conference report is now our best means to register a protest against dropping price supports below 90 percent and our best hope to force the conference committee to bring back a better bill for the American farmer.

Mr. YOUNG. I thank my distinguished friend from South Dakota for his great interest in agriculture. Ever since I have been associated with him as a Member of the Senate, the Senator from South Dakota has always been greatly concerned about agricultural problems and more particularly good farm prices. I think many Members of the Senate would be more than happy to adopt another kind of plan or none at all if we believed farmers could be assured of fair and adequate prices for their commodities.

Mr. MUNDT. Precisely. I think we all recognize that the farm problem is an economic problem, not a political issue. It so happens that the producers of the kind of products involved in this bill lacked the necessary votes; a switch of three votes would have given us victory for 90 percent price supports in the vote last week.

Mr. CORDON. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG. I yield to the Senator from Oregon.

Mr. CORDON. Mr. President, I, too, thank the Senator from North Dakota for his presentation. I hope my colleagues in the Senate who have heard his statement will take the opportunity to read and reread it in the RECORD. He has set forth clearly a fact which should have more consideration in the United States, namely, that wheat serves dual markets—the market for human consumption and the market for feed for stock. It is perfectly logical and economically necessary that there be two prices to meet the two needs. In the months to come, I hope that fact will be more fully understood by the American people, because I believe that around it we can build a sounder economy in this particular field of agriculture. I know that the committee gave careful consideration to that fact. I am sure that many Members of the Senate have understood fully for the first time that there is a basic division in the use of wheat which, better understood, will result in a sounder approach to the marketing of wheat and will in the end, benefit the American farmer and benefit the American taxpayer.

I intend to vote for the conference report. I shall vote for it not because I am wholly satisfied with it, for I am not, but because only in that way can we save the wool industry in the United States; only in that way can we improve upon the law which will take effect if we do not have the provisions which are

in the conference report. We cannot hope to improve upon it at this session; and, as between the two alternatives, in my judgment, the best thing to do is to adopt the report which is before us.

Mr. YOUNG. Mr. President, I wish to thank my good friend from Oregon for his comments. He has always been a good friend of those engaged in agricultural production. We certainly cannot let the present situation, in which we actually provide a higher support price for feed wheat than we do for high protein wheat, continue much longer.

The two-price system which my friend the Senator from Oregon strongly believes in would be one method of correcting the situation. It is one way in which this problem of giving recognition to quality wheat production could be solved. Somehow, in some way, it will be necessary to correct the present situation, or have the whole wheat price support program greatly in danger of collapsing.

Mr. THYE. Mr. President, I commend the Senator from North Dakota for his clear and understandable statement on the agricultural question. As he has served as a member of the committee of conference, he knew very well what he was faced with and the concessions which he was compelled to make.

It was most disturbing to me again to receive a verification of fact which I was endeavoring to have cleared up. I thought it was a fact, but I had not been able to obtain the figures until today. I have received them from the Department of Agriculture. The figures show that the producer is receiving only 42 cents of the consumer's food basket dollar. That figure is lower than any which I stated on the floor during the debate on the bill. The figures which I have today been able to confirm indicate that the producer has lost 13 cents of the consumer's food dollar since the calendar year 1946. Any loss which the producer has suffered has not been a gain to the consumer. Let us bear that in mind. If ever there was a time for Congress to settle down and try to find an answer to the problem which faces the American farmer, that time is now.

I returned from Minnesota to the Washington Airport at 6 o'clock this morning. While I was in Minnesota I talked with a number of producers, reliable, substantial farmers whom I have known for the past 30 years. They told me that they are faced with selling hens at from 9 to 11 cents a pound, and that the price of eggs had dropped to a low of 20 cents a dozen. The dairy prices to the farmer have gone down consistently during this calendar year, although there are rumors to the effect that they might go up somewhat in the month of August.

Despite the consistent drop in the price which the producer receives, every report which we read in the newspapers is to the effect that the price of milk to the consumer will be increased. These are facts which cannot in any sense be debated out of existence, because they are economic facts. We need only refer to the situation in the country to know what the facts are.

Therefore, as I examine the action of the committee of conference, I find

some accomplishments which are commendable. I note that the conferees agreed to a provision in the House bill relative to dairy product disposals, including making dairy products available for the school lunch program and to servicemen, and the veterans' hospitals. All this is commendable. I endeavored to have such provisions included in the Senate bill during the debate on the floor. I am glad the conferees yielded to the House on this item. But the House had to yield to the Senate conferees on the question of the 80-percent support price for dairy products. So the dairy producer lost the 5 percent which the House had succeeded in giving the dairy producer when it acted on the farm bill.

As I have examined the facts as I find them in the conference report, it disturbs me no end to find that I arrive at a conviction with which I cannot live, or at least I cannot live with my convictions, if I vote in support of the conference report. If there be a ye-and-nay vote, I shall vote against the report. If there is not a ye-and-nay vote, I record myself as being opposed to the conference report.

Between now and the convening of the 84th Congress serious thought must be given to what kind of study shall be made to develop a farm support program and a farm bill which will restore agriculture to a basis of parity with the other segments of the Nation's economy, because there is neither justice nor explanation for the high degree of employment in industrial productivity, while agriculture has taken a decided drop month after month.

The farmer is at such a low point at present that he is compelled to incur an increase in his real estate mortgage obligations, as well as in his short term loans, which have doubled in only a few years.

I wish to bring my thoughts to a focal point. If any of us can consider the statistical facts in the records of the Department of Agriculture and still say that the farmer is doing all right, he must be more clear in his thinking than I have been able to be in mine, as I have examined the statistics in the Department.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. THYE. I yield.

Mr. KEFAUVER. I agree with the opinion of the distinguished Senator from Minnesota with reference to the conference report. Does not the Senator think that a proposal for an investigation, such as was made by the distinguished Senator from Iowa [Mr. GILLETTE], to investigate the disparity between consumer prices and the drop in prices of farm products, a proposal which was rejected some time ago, would be a good idea for the Senate to take up as an order of business early in the next Congress?

Mr. THYE. I endeavored to make clear what my thinking was when I said that Congress needed to give serious thought, not only when it convenes in January, but also between now and the beginning of the next Congress, to what shall be done to try to bring agriculture into parity with other segments of our Nation's economy. I care not what type



of study is made, but some plan must be initiated which would restore agriculture to balance. Otherwise the Nation is headed for a recession. There can be no question about that, because history proves it.

Mr. KEFAUVER. Mr. President, will the Senator further yield?

Mr. THYE. I yield.

Mr. KEFAUVER. As I remember, the Senator from Minnesota supported the resolution of the distinguished Senator from Iowa, which provided for an investigation of the reason why farm prices have dropped, while the prices of things which the farmer buys have remained at a high level or have even gone higher and higher. Does not the Senator feel that such an inquiry, which unfortunately was opposed by the administration, would be of benefit to the consumer and to farmer, as well?

Mr. THYE. Several approaches must be made to the question, if the farmer is ever to be brought back on the road to parity in the Nation's economy.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. THYE. I yield.

Mr. MUNDT. The Senator from Tennessee has made a very good point, with which I agree, namely, that much study and analysis must be made of the price spread between the consumer and the farmer.

For the information of the Senator from Tennessee—and I have just confirmed the fact with the Senator from Vermont [Mr. AIKEN], chairman of the Committee on Agriculture and Forestry—the staff of the committee has been ordered, during the recess, to make precisely the kind of study and investigation about which the Senator from Tennessee has spoken, by calling upon technicians from the Department of Agriculture and the Library of Congress.

There is already under way, to a considerable degree, a pilot study of a dairy-products plant in Wisconsin, to determine why the producer receives too little and the consumer pays so much. As that study is brought to a conclusion, similar studies will be carried into other areas of farm production.

Mr. THYE. I was somewhat encouraged last spring when the chairman of the Senate Committee on Agriculture and Forestry stated that he was continuing in the employment of the Senate one of the staff members who had done an excellent job of investigational work on the importation of damaged Canadian wheat, of which some had gone into milling channels. When that assignment was completed, the staff member was requested to do investigational work, as I understand, in the field of high costs and the price spread between what the producer receives and what the consumer pays.

That study has been in progress since some time last spring. I have not seen any fruit harvested from that particular vine or tree. For that reason I am wondering whether there will be an economic benefit to producers by reason of a further committee study between now and the next session of Congress.

Mr. CLEMENTS. Mr. President, will the Senator yield?

Mr. THYE. I yield to the Senator from Kentucky.

Mr. CLEMENTS. First I wish to compliment the Senator from Minnesota for his fine analysis and appraisal of the conference report. I agree with the judgment he has expressed tonight on the conference report and its effect on agriculture. I should like to ask my friend the Senator from Minnesota, when he suggests that a study be made between now and the first of January, if he has forgotten that the bill may well be considered the result of a study which has been in progress for 18 months within the Department of Agriculture.

Mr. THYE. I did not have in mind that a committee be named. I more or less charged myself and other Senators who are here assembled with the responsibility of studying this question quite thoroughly between now and the convening of the 84th Congress. I hope I am wrong, but I am fearful that unless in some manner we check the trend, great harm will be done. If one gets away from the metropolitan centers, he can see the losses which the farmer has suffered. Those who live in metropolitan centers merely see the high prices charged, and every time they make a complaint about the high charges they are informed that they are caused by the terrible farm support prices.

It is natural for the average person to believe that, because in the last 4 or 5 months he has read nothing else in the newspapers, listened to nothing else over the radio, and learned nothing else by other means of communications. So it is perfectly natural that the average consumer should have that idea. When the housewife complains to the cashier in the store about the high prices of groceries, she is told by the clerk what causes the high prices. I had such an experience last winter. I was in a store with my wife, and we mentioned to the clerk that the prices were very high. Without blinking an eye, that young chap said that the terrible farm support program had brought prices to such a high level. I asked him about potatoes. He told me all about the supports on potatoes. On that day potatoes were selling at 5 cents a pound in the bin. I had heard producers say they could not get a dollar a hundred pounds for grade 1 potatoes.

I refer to my experience as an example of the widespread misinformation concerning what the producer receives and why the consumer pays such high prices. I hope each one of us will appoint himself a committee of one to study the question of what should be recommended when Congress reconvenes, in order that we may get down to bedrock in connection with the farm economic question, in an attempt to restore agriculture to a position in which it can enjoy some of the fruits of the present prosperous national economy. The farmers are not enjoying their share of it.

Mr. CLEMENTS. Does not the Senator from Minnesota agree that the farm bill was the result of more than a year's study by a committee or commission which worked with the Department of Agriculture, and that we would not de-

sire to have such a committee or commission look after the future of the farmers?

Mr. THYE. I can answer that question without any equivocation whatsoever. In the course of that study support prices on dairy products have dropped from 90 to 75 percent. Prices of eggs to the producer have fallen more than 25 percent. The prices of hens have gone to such a low that those in the statistical offices are in a quandary in trying to ascertain what has influenced the poultry and egg market. The market is far out of line with what it should be when the increase in the production of poultry and eggs is considered.

I am citing facts which anyone can gather by reading the statistical records. I am not referring to statistics which I have not seen in the records; I am citing facts from statistical reports. As a result of studies by an advisory committee, we find that supports on basic commodities have dropped to 82½ percent, and have dropped to 75 percent on dairy products. We are, so to speak, hanging on to the eave troughs by our fingernails. I have referred to inescapable facts. I cannot return to my constituents and say that I voted for the conference report because I fully supported it. I shall be able to say only that I am in favor of the portion of the bill which relates to the eradication of brucellosis in dairy cows, because that will take a few cows out of the milk barns.

I shall also be able to say that I supported expansion of the school-lunch program, and that I supported the proposal that boys in military camps be given all the dairy products they can consume. I shall be able to say that I am more or less in support of the provision looking toward an equitable solution of the wheat problem. I can absolutely commend the conferees on all those aspects of the bill.

However, when we consider price supports for basic commodities, it will be seen that the underpinnings which kept commodity prices up have been whittled away on the ground that the huge surpluses have had a depressing effect on the market. When support prices on commodities were reduced to 82½ percent, that did not help the producer. It merely meant that supports went from 90 percent to 82½ percent. So prices receded. When dairy supports were reduced from 90 to 75 percent, that did not help the producer.

I may be able to say that we were promised that with proper administrative effort there is a hope that we can get rid of the surpluses and get back to a normal place in the market.

Mr. CLEMENTS. Mr. President, will the Senator yield?

Mr. THYE. I yield to the Senator from Kentucky.

Mr. CLEMENTS. The items which the Senator from Minnesota has selected from the conference report are the ones with respect to which I should like to join with him. That is about the extent of the approval I can give to the conference report. Therefore, if there is a yea-and-nay vote, I shall vote against the conference report. If there is not a

yea-and-nay vote, I want my objection recorded.

Mr. THYE. Mr. President, I yield the floor.

Mr. HOLLAND. Mr. President, I do not expect to discuss now the facts which have been for months the subject matter of this long and difficult debate. I merely wish to say that I have never known a subject matter with respect to which I have seen convictions run so deep, and in connection with which I have seen, nevertheless, courtesy and kindness displayed to such a great extent as that which has prevailed throughout this debate.

So I end the debate with the utmost of respect and devotion for every member of the committee. I have found them fighting for the rights of the farmers, as they believed they could best serve those rights; and I have the utmost of respect for each and all of them.

Mr. President, there are two important points which I wish to discuss briefly with respect to this legislation. First, with reference to price supports on basics; of course this measure in no way affects the permanent 90-percent support program for tobacco. The conference report, as applied to existing law, permanently provides, after 1955, for price supports on the five basic agricultural commodities, other than tobacco, at from 75 to 90 percent of parity. The 82½ to 90 percent of parity provided in the legislation is for 1955, and for that one year only. This is a temporary bridge to the permanent provisions of the Agricultural Act of 1949, the Anderson Act. This measure reflects the intention of Congress to gradually shift from high, rigid supports to flexible supports. This philosophy is further carried out by retaining the provision for modernized parity to go into effect in 1956 on the basic commodities. As the Senate knows, the transition to the new parity is on a gradual basis that shifts parity for commodities on the basis of the last 10-year average price for each commodity, rather than to continue indefinitely to use an unrealistic parity built upon price levels in the years from 1910 to 1914.

Second, with reference to production controls. This legislation, together with the Agricultural Adjustment Act of 1938 and the Agricultural Acts of 1948 and 1949, fully expresses the intention of Congress to control production as a necessary part of price support.

The support of prices above what buyers would otherwise pay has the effect of increasing production, which, in turn, has the effect of causing supply to exceed demand and thereby forcing the lowering of prices. Accordingly, in order to assist in supporting prices Congress has established the policy of keeping supplies in line with demand, not only by providing for lower price supports, when surpluses mount, but by providing authority and direction to the Secretary of Agriculture to control production by the use of acreage allotments and marketing quotas, and by the limitation of the use of diverted acres. Unfortunately, the large surpluses carried over from past programs when production was not properly controlled will make it necessary, for the time being, to continue

controls along with the lower level of price support.

The support of prices is the part of the farm program that many farmers view with pleasure. On the other hand, they frequently look upon the control of production as the disagreeable part of the program. Nevertheless, most of the farmers receiving price support are realistic and they know that it is impossible to continue to support prices and not at the same time effectively control production. It is generally recognized by farmers that it is unfair to that large majority of agricultural producers who produce nonsupported crops to subject them to Government-subsidized competition by the unlimited use of diverted acres.

We have made it clear that we fully expect the Secretary of Agriculture to operate the price-support program in a manner that will keep supplies in line with demand and that, of course, includes effective control of production. The Congress fully recognizes that rigid controls are the inevitable result of high, rigid price supports.

This legislation provides, among other things, that beginning with 1955, any person who knowingly harvests any basic agricultural commodity on his farm in excess of the farm acreage allotment shall be ineligible for agricultural conservation payments. While this has the effect of depriving a farmer of his ACP payment if he actually harvests more than his acreage allotment, nevertheless, it should be fully understood that, for purposes of acreage allotments, marketing quotas, and diverted acreage regulation, a farm is out of compliance if acreage is planted thereon in excess of the quantity specified. It was our intention, as stated in the conference report, that a farmer should not be penalized by losing his ACP payment unless he knowingly harvested more than his allotment. This is a separate matter, entirely, from his eligibility for price support and is not intended to lessen in any way the control of his diverted acreage.

Mr. President, in closing, since there is in the conference report and in the bill as passed by the Senate a paragraph which provides that under grapefruit marketing contracts, that part of the fruit which goes into cans may be included and controlled along with that which is marketed in fresh fruit channels, provided the conditions imposed by the law are met, I ask unanimous consent to have included at this point, in the RECORD as a part of my remarks an article from a recent issue of the Lakeland Ledger, of Lakeland, Fla., based on the latest United States Department of Agriculture statistics showing the returns to the Florida grapefruit growers from their crops in the past 2 years.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FLORIDA GRAPEFRUIT GROWER'S NET AVERAGES  
\$21 AN ACRE

(By George Knight)

The average Florida grapefruit grower who marketed his fruit between October 1, 1953, and June 30, 1954, netted approximately \$21 per acre. This compares to about \$97 he

netted during the 1952-53 season, and with \$158 per acre the average orange grower made last season.

The \$21 was his net before he deducted taxes and depreciation, according to calculations computed by the Ledger from figures supplied by authoritative industry sources. No citrus agencies have issued official cost summaries covering grapefruit grown last season.

This means that the Florida grapefruit grower netted (before taxes and depreciation) about 6 cents per box last season compared to about 30 cents for the 1952-53 season.

During the October-to-June period, approximately 39,500,000 boxes of grapefruit were utilized, compared to 31,340,000 boxes utilized the previous season.

In spite of the fact that more grapefruit was marketed, it is estimated that the total gross on-tree sales value of Florida grapefruit for that period the past season was only \$18,170,000, compared to \$24,703,000 the previous season.

The grapefruit grower grossed 46 cents a box (on-tree) for all methods of sale during the period of October to June. However, the grower who sold most of his fruit fresh did much better than the one who was forced to sell most of his fruit to the cannery. The 46 cents is an average of United States Department of Agriculture on-tree prices. The USDA figures revealed that a simple average of fresh-fruit prices was 86 cents on-tree but the grower selling to the cannery grossed only 6 cents per box on-tree during the period.

On-tree averages for the 1952-53 season were 76 cents for all methods of sale; \$1.08 for fruit sold fresh, and 40 cents for grapefruit sold to processing plants.

An authoritative United States Department of Agriculture source revealed that there were about 112,000 acres of bearing grapefruit trees in the State last season, compared to about 104,000 the previous season. The cost of production is figured to be about \$140 per acre, or about the same as for the 1952-53 season.

This shows that the average Florida grapefruit grower grossed only \$161 per acre (on-tree) the past season, compared to \$237 for the 1952-53 season. And he netted \$21 per acre compared to \$97 the previous season.

Production per acre for October to June is estimated to be 352 boxes per acre, compared to 312 boxes per acre the previous season.

The figures in this summary are intended to be only statistical averages, and certainly do not represent the case of every Florida grapefruit grower.

Some grapefruit growers—those with high-quality seedless, pinks and reds which sold readily in the fresh market, made substantial profits. Other growers, with a predominance of seeded grapefruit which moved to the cannery, took a substantial loss.

Figures for 1952-53 used in this article were taken from annual summaries of the Florida and United States Departments of Agriculture.

Mr. HOLLAND. Mr. President, I strongly hope that the conference report may be approved.

Mr. KERR. Mr. President, I am opposed to the conference report. I shall vote against it, if given the opportunity. If not, I wish the RECORD to show not only that I am opposed to the conference report, but that in my judgment it is the most unfortunate and damaging piece of proposed legislation that the Congress of the United States has passed in my lifetime.

In a recent issue of the Washington Sunday Star, I saw the following headline: "Eisenhower Scores Farm Victory."



Mr. President, since then I have been thinking a great deal about the victor and the vanquished. The press of the country for the past several days has declared, in bold headlines, that the present national Republican administration has won its greatest victory.

Mr. President, who is the vanquished? There cannot be a victor without there also being one who is defeated. It may be that Eisenhower does not know who the vanquished are, but the vanquished know.

A few days ago I saw in the Washington News a story about Mr. Ezra Taft Benson. The headline read: "Strong Man in the Cabinet—Denounced and Mocked, Benson Is Now a Hero."

Mr. President, what made him a hero? The impoverishment of American farmers? The stripping from them of the limited farm program they had? The weakening of the economic structure that was theirs, and upon which they were dependent?

I read from the article:

They mocked him and called him stupid and denounced him as the worst Agriculture Secretary of history, and demanded that President Eisenhower fire him. But Ezra Taft Benson stood his ground. Today he has emerged as hero of the biggest legislative victory the Eisenhower administration has had.

Mr. President, I remember a story of ancient Rome, when the Emperor received word from one of his generals that he had won a great victory, but after the casualties were known, the emperor became very much aware that while he had won the battle it had probably cost him the war. And throughout the days ahead, when his heart was troubled and his mind was ridden with fear he was heard often to say "Varus, Varus, give me back my legions"—because while a victory had been won, the legions had been sacrificed, and the emperor knew that the empire had been endangered.

I see the chairman of the Agricultural Committee, a distinguished Senator and an effective leader, in this victory. If Eisenhower is the general and if Benson is the chief of staff, the senior Senator from Vermont has been the commander of the shock troops, and they have been victorious. They have ridden roughshod, Mr. President, over millions of American farmers who tonight, if they were aware of the detail of history, might be thinking of what was in the minds of the gladiators in ancient Rome when forced into the arena whence there was no escape except in death, who looked upon the face of their emperor and gave voice to the sad and terrible words, "Morituri te salutant": "We who are about to die salute you."

I hope there is that within the heart of the American farmer tonight, Mr. President, which can give him that courage, because the millions of them who are the victims of this bill, if not aware tonight, will be aware as the inexorable march of the days and the weeks and the months ahead disclose the tragedy to them. They who are yet alive will be saying, "We who are about to die salute you."

I wish to read to the Senate, Mr. President, the testimony of one of the casualties of this greatest legislative victory the Eisenhower administration has had.

Mr. President, if this administration had launched its mighty power against the embedded forces of wealth and bugged them from their position for the benefit of citizens, it would be entitled to the paeans of praise and tributes for victory. But against whom did the administration launch this victorious attack? Was it against the entrenched private power lobby in this city? No, sir. They are more powerful tonight than ever in the history, and are congratulating themselves, Mr. President, upon the amazing successes they have achieved.

I remember when the President and the Secretary of the Treasury spoke to the National Bankers' Association in this city and told them of the fiscal policies of this administration, Mr. President, and that crowd of bankers cheered until the rafters rang. When the good President and his Secretary of the Treasury left there, they were congratulating each other on the belief that they had the bankers of the country in their pockets. But, Mr. President, the bankers were congratulating themselves, that they had the President and the Secretary of the Treasury in their pockets.

No, the victory was not against the bankers, Mr. President, the victory was against that group who, as the distinguished Senator from Georgia the other day advised us, are at the bottom of the economic totem pole in this country, of whom one-third have an annual income of less than \$1,000. So, in this instance, when the General marched his forces and when Chief of Staff Benson gave the orders and when the Senator from Vermont led those shock troops, they overwhelmed that group of American citizens. I wish to read the plaintive wail from one of them, which I hold in my hand:

CHICKASHA, OKLA., August 13, 1954.  
HON. BOB KERR,  
United States Senate,  
Washington, D. C.

DEAR MR. KERR: As the wife of a small dairy farmer I listen with interest personally every morning to the news as to what has been done about the farm program in Washington the day before.

Mr. President, by the millions small farm families across the Nation had tuned their ears to Washington. They listened to the radio. They read the newspapers. They were seeking, longing, hoping for a word of relief and a word of cheer.

MR. KERR I honestly wonder if Mr. Benson and his associates can really understand the condition of we small farmers and dairymen. I have no doubt that he wants to do what is best for our interest, but does he understand?

What graciousness, Mr. President. "We who are about to die salute you."

Last year when the drought came we were told over and over, cull your herds and feed for better production.

Do Senators hear those words emanating from the Department of Agriculture?

When you are drowning you will try anything. I have sales and purchase slips to show that we did just that. We culled five head of dairy cows and shipped to Oklahoma City Stock Yards. We had given \$1,197 for them, or an average price of \$239 per head. We received a check from the National Livestock Commission for \$330.16, or an average price of \$66 per head. Then we paid the trucker \$10 for hauling them. Mr. KERR (according to our sales slip), Armour & Co. bought the cows. In less than 1 month from that time, according to reports from the Secretary of Agriculture, the packers were to be reimbursed for cattle purchased. I ask you, why reimburse them, we had already taken the loss, not the packers. Why couldn't we have been reimbursed for our loss, in accordance with our sales slips direct, or the packers instructed to reimburse the farmers according to their purchases from the farmer.

Now we are in the depth of another drought, and again we are told, cull for better production. Yesterday we took one cull dairy cow to Oklahoma City Stock Yards. We had given \$225 for this 995-pound cow, and, Mr. KERR, we received 7 cents per pound, or \$69.65. Again, Armour & Co. bought the cow. We have got to cull more cows, due to pasture and feed, and I'm sure you know we are going to have to take the same kind of price, 5 to 7 cents per pound, as that is the class all dairy cattle are placed in. Can you explain to Mr. Benson that we small dairymen that have to sacrifice these dairy cattle just can't go on like this; that we just have to have a better program of some kind.

"We who are about to die, salute you." What else can there be in that wail?

We are losing money on these cattle, depleting our herds. When this drought is over, there will be no money, no cattle. Please try once more to show that man just what he's doing to we small dairymen, when he lowers the parity on milk until we can't afford to produce milk, and have to sacrifice our dairy cows at 5 cents per pound. We come up with no production, no price, no feed, no money—then where to? Does he have an answer?

Yours for a better farm program, I am.

Then she gives me her name and her address.

Ah, Mr. President, at what price does Benson win the greatest legislative victory of this administration? At the price of human suffering and poverty. That is the price. I say to the Senate that is the price that Americans will have to pay for this farm bill. We are making them pay it, we who were sent here to represent the people and to help them receive equity and justice from their Government, the greatest Government on this earth. We have stripped hope from their hearts as if it were something vile, something to which Americans are not entitled. We are taking it from them with the cold, ruthless hand of law.

Oh, we will put another palm leaf on the Croix de Guerre for the Secretary of Agriculture and for the chairman of the committee. He will be decorated for bravery in action for leading the shock troops which marched across the Senate of the United States and the economic graves of millions of American farmers.

I say it is a tarnished medal. I say it is not a reward for service to American citizens. It is recognition for what he has done to them. Eisenhower scored a farm victory, Benson is a hero,

and millions of American farm families are the losers. There will be reverberations echoing across the length and breadth of this land.

"We who are about to die, salute you."

They who live will right this wrong. They who live will send representatives here to restore justice and do equity, and make sure that when farm legislation is passed by Congress the people will score a victory, not someone who knows not what he has won.

Mr. JOHNSTON of South Carolina. Mr. President, we have caught ourselves in another tangle here this evening.

I remember, almost 2 years ago, at the beginning of 1953, when Benson came before the committee, the first question I asked him was, "Are you in favor of a sliding scale?"

He hedged, and he said that he would have to do a lot of studying and investigating. Senators will remember that he has been investigating ever since 1953.

Let us not blame the conferees this time. Let us not blame them for this bill. Let us remember that this bill was Benson-drawn in the House and Benson-drafted through the Senate. We were boxed in, so to speak. Therefore, we are in an awful fix. This is the best that could be brought back to us by the conference committee. I did not sign the conference report, and I am glad to say that the junior Senator from North Dakota [Mr. Young] refused to sign it.

One of the main reasons for my refusing to sign the conference report was not because of the disagreement in conference, but because I am not in favor of flexible price supports. I believe the purpose of price supports is to protect the farmer when he is in need. Any Senator who travels among farmers knows they are in need. I remember when I was a small boy, just growing up, I was told that the farmer is the man who feeds us all, and that is a true statement. I know, Mr. President, that every recession has started with the farmer, and that every depression has started with the farmer.

No one can tell me that the farmer is not in a depressed condition today, when everything he must buy is still priced high—it has not come down—and the price of everything the farmer sells has gone down.

I believe we should protect the farmer. Oh, yes, we have been caught again. I know that. I know that a great many members of the committee knew that we would be caught like this.

There is on the books the 1949 act, and we were told, "If you do not pass a new bill, you will get the 1949 act." Do Senators know what we would have under the 1949 act? The support program would range from 75 percent to 90 percent. That is what we were faced with all the way. The bill was held up until the very end of the session, so we could be told, "Take it, or leave it."

I am one who feels that two wrongs do not make one right. The act of 1949 is wrong, and this bill is wrong. The only way I can tell the farmers of my State and the farmers of the Nation, that I am against it is by refusing to sign the conference report and to vote against its adoption.

We have been fenced in, that is true.

This bill will become law, and if the same representatives in Congress return next year—I do not believe they will—this law will be amended, and then Mr. Benson will get everything he wants. No; he did not get this year all he wanted. Let no one tell me that he got everything he wanted. No one can tell me that Benson has been the victor all the way. He wanted 75 percent of parity to be the minimum. He got 82½ percent. Do not let him fool us in this bill in regard to the setaside. Next year and the year after, the farmer will be caught again. The setaside in the bill does nothing to help in connection with the amount of the acreage. Under this bill the acreage will be cut, and also parities will be cut in the future.

The setaside holds up the parity for a short while, but so far as parities and prices are concerned, everyone knows how much surplus we have and the setaside in this bill will be taken into consideration. This bill will become known in the future as the Aiken-Hope bill. Thank God for some "hope." We have some hope in the future.

Mr. KEFAUVER. We have a great deal of "Aiken," too.

Mr. JOHNSTON of South Carolina. Hope is being held out for the future. I, for one, hope that in the future this measure will be amended, not as Mr. Benson wants it amended, but as it ought to be amended in order to care for the farmers of the Nation.

The farmers will feel the effects of this bill. They will ache from this bill, and finally they will suffer from the bill, because parities on the basic commodities of agriculture cannot be lowered without their feeling it.

Tobacco is in the bill for the next 2 years, it is said. No, tobacco is not in this bill at all. Thank God, it is not in this bill. Tobacco has been supported at 90 percent of parity, and has been under strict controls. That is what all the farmers of the Nation want. Give the farmers that, and the surplus will be reduced, but the surplus cannot be reduced by setting aside and then trying to fool the farmers in regard to parity. I cannot support this kind of legislation. I feel that the farmers of the Nation need help at this time more than do any other class of people.

We have the wage-and-hour law, and I am glad we have it, but it involves competition with farm labor, and at the same time it does not protect farm labor. I think both should be protected.

Administration supporters will hail Mr. Benson as a great victor. He can have such praise so far as I am concerned. I do not want to have anything to do with it. I feel that the farmers of the Nation will be displeased with this legislation, and that it will cause suffering. For that reason I intend to vote against the conference report if there is to be a yea-and-nay vote. If not, I am telling the Nation that the junior Senator from South Carolina does not approve this kind of legislation.

The PRESIDING OFFICER (Mr. BUSH in the chair). The question is on agreeing to the conference report.

Mr. KEFAUVER. Mr. President, I shall not detain the Senate long. I wish

to record my opposition to the conference report.

When the bill came up in the Senate, because of 2 breakdowns on the Eastern Airlines plane on which I was riding, over which I had no control, I was about 4 hours late returning to Washington, which prevented my voting against the sliding scale which was adopted. Had I been present, I would have voted for 90 percent of parity as the support program. I take this opportunity to explain my position in that connection.

In the first place, Mr. President, I am fearful the administration, and particularly the Secretary of Agriculture, is not aware of what is going on in the Nation today. There is considerable unemployment, and more is indicated. The national production has been cut twenty or twenty-five billion dollars in the face of the fact that the population is increasing.

Mr. President, the distress that exists today is nothing compared with what it will be in the months and years to come, largely because of lack of foresight in dealing with the farm program.

Farmers today undoubtedly are suffering greatly as a result of reduced prices. They are not able to paint their barns; they cannot buy the tractors and the manufactured products which they need. There is resulting unemployment in factories. Only in the building trades industry is employment holding up in the Nation today.

It seems to me that Mr. Benson and the administration do not realize the economic facts of life. While we provide a protective tariff for certain industries in our Nation today which are entitled to some protection in order to enable them to compete with industries in other nations, while we give protection to working men and women, with floors under wages and with collective-bargaining agreements which are sanctioned by acts of the Congress—while we protect these two segments of our economy, yet we virtually throw the farmer to the four winds. That is what is being done by the proposed farm legislation.

The farmers of America constitute the one segment of our population which has been suffering from reduced income in the face of increasing prices for that which they must purchase.

The trend or cycle which has been inaugurated by the Benson farm policy and which will increase in intensity as a result of the proposed legislation which is now before the Senate, will cause many of those who support this proposal to rue the day when they gave the farmer the bad deal that is being dealt to him tonight.

After all, the present farm-support program has cost us comparatively very little, compared with what we have put into Indonesia in 1 year, which now proves to have been of little avail. On the average over many, many years the farm program has not cost very much.

When we consider the cost of unemployment, the fact that we must appropriate larger amounts for unemployment compensation insurance, that business is off in many sections of the Nation, that we are not moving ahead, and that we are reducing the national production, it all points to the fact that the



program of cutting down the income of the farmer which we are following here tonight is ill-advised.

The treatment which has been given the American farmer, and the refusal of the administration adequately to develop the natural resources of the Nation, are largely responsible for the bad plight in which we are in today and the increasingly worse one with which we shall be faced in the days to come.

Mr. President, it is not only in the price-support program that the administration has failed to meet the test of a sound legislative program. In other aspects the administration is doubling or trebling the catastrophe which we shall meet in the days to come.

The administration talks about farm surpluses. One way to dispose of farm surpluses would be in connection with the school-lunch program, for which Congress has provided in the bill to the extent of \$50 million. I am sorry that the conferees agreed to the House version and would not leave in the bill the larger sum provided by the Senate. That would have been most helpful.

Next, we must realize that if there could be full employment, as is required by the act of 1946, and people would have sufficient income with which to buy the food they need to eat, there would not be the farm surpluses which exist today. In a progressive nation, which seeks to have forward-looking programs for its people, it is not logical to reduce the volume of commodities which can be produced on our farms. If we had followed the full employment program, as set forth in the bill with which the distinguished Senator from Montana [Mr. MURRAY] had much to do, and which I supported in the House of Representatives, there would not be farm surpluses.

Furthermore, lack of fortitude on the part of administration leaders in the Senate and the House today is responsible in a large part for the plight facing the American farmers. The lack of courage evidenced by the failure to proceed with the President's program in connection with reciprocal trade agreements will rise to plague American farmers in the years to come. The sad fact today is that one-third of the people of the world are hungry. In many nations of the world our food products could be a wonderful instrumentality in the interest of better international relations, and perhaps for peace in the world. Many foreign nations produce uranium, rubber, manganese, chrome, and other products which we need, and of which we are in short supply. Other nations of the world would be very happy to have our food products in exchange for those materials.

The President of the United States recognized that a real extension of the reciprocal trade agreements program was not only a necessary step in the interest of better foreign relations, but would be a very important step in the interest of our own domestic economy. He recommended a gradual lowering of tariffs and suggested that the reciprocal trade agreements program be extended for 3 years. This would have given the American farmers, particularly the cot-

ton and tobacco farmers, needed relief to a large degree.

After the subject had been investigated for a year by the Randall Commission, I offered an amendment last year to extend the reciprocal trade agreements program for 3 years. My amendment was rejected, and the statement was made that an investigation would be made. The investigation was made, and the working people, manufacturers, business, industry, and agriculture recommended that, in the interest of our domestic economy and the farmers of America, there should be a gradual lowering of tariffs and a real extension of the reciprocal trade agreements program, so that our friends abroad would know that they could trade with us under favorable terms for years to come. But the administration did not furnish leadership in Congress so that the President's own recommendations could be made effective. The President let the farmers of America down by settling for only a 1-year extension.

My distinguished colleague, the junior Senator from Tennessee [Mr. GORE], and other Senators, led the fight for the President's reciprocal trade agreement program, which would have done much to alleviate the distress from the surpluses which are bothering us today.

On a long-range basis, the farmers of America are not being adequately considered. Even where trade agreements have been entered into, we find Presidential approval of the raising of tariffs, as in the case of Swiss watches. Undoubtedly that action will cut off a great many tobacco and cotton sales to the Swiss Republic. Other impediments are being placed in the way of freer world trade, which would enable us to dispose of our agricultural surpluses.

I was very much interested in the remarks of the distinguished Senator from Minnesota [Mr. THYE] in opposition to the conference report. He said he could not face the farmers of Minnesota if he voted to let them down in the manner they would be let down if the conference report were agreed to. I can understand why the Senator from Minnesota expresses such sentiments. First, he is a thoughtful man, who understands the agricultural program. He knows that the bill before the Senate is not in the best interests of the farmers of America.

Perhaps there is another reason why the Senator from Minnesota feels some embarrassment about the question. As I recall, at Kasson, Minn., the President of the United States told the American farmers that they could expect, and he would pledge them, a continuation of the 90 percent support price program, and 100 percent in the market place. This bill is far removed from the pledge made at Kasson, Minn., as a result of which many of the farmers of America voted for the administration, without having any intimation that the administration intended to abandon the 90 percent support program which had been promised to them at Kasson, and that it was planned to put the farmers on a program of sliding scale supports, which

means lower and lower prices for the products which the farmer sells.

I say to the Senator from Minnesota that not only are the farmers of Minnesota bewildered by the broken promises of the administration, but farmers all over America are likewise concerned. I have been in Tennessee recently, where I talked with many farmers, who said, "Were we not promised a continuation of the 90-percent program?" They have read the RECORD and the statement of the President. Of course, they were promised that program. The thing furthest from their minds was that the promise would be abandoned, and that they would be given a sliding scale, which has made heroes out of Mr. Benson and other members of the administration today.

Finally, I have heard much talk about the making of an interim investigation by the staff of the Committee on Agriculture and Forestry or an investigation by the Department of Agriculture as to what has happened to our economy, which has resulted in the farmers getting less for their products day by day, while almost everything which the farmers buy has been staying at 100 percent of parity, or even going a little higher. Everyone recognizes that to be true.

It is unquestioned that there has not been any substantial lowering of the prices which the consumers pay. Everyone bemoans the fact that that condition exists.

Many Senators on the other side of the aisle are talking about having an investigation made by the Committee on Agriculture or some other committee. The administration was offered a clear-cut opportunity to give the American people the facts in this connection some time ago, when the distinguished Senator from Iowa [Mr. GILLETTE], together with more than 28 other sponsors submitted a resolution asking for the appointment of a special committee for the purpose of investigating the question of why farm prices have been going down, while what the farmer must buy continues to rise in price, and while the prices which the consumer must pay for his products remain at the same high level or have decreased only a very little.

The Senator from Iowa is present. I know his resolution was vigorously presented to the Senate Committee on Rules and Administration. The Senator's resolution provided for a real investigation by a committee which could have obtained the facts for the farmers and consumers of America. It could have pointed out to the farmers why their products were selling at high prices to the consumers. But the resolution of the Senator from Iowa was never given favorable consideration, even though almost one-third of the Members of the Senate asked for such an investigation. So I do not think very much will be accomplished by an investigation conducted by the Department of Agriculture. It seems to me that if the administration really wanted the people of America to know why it is the consumer is being squeezed, why the farmer has to continue to pay high prices, and why he is getting low prices for his products in the meantime, it would have got behind the resolution of the distinguished Senator from Iowa

and enabled the people of the United States to have this information.

Mr. President, in conclusion I wish to point out again, as has been so well stated by the distinguished Senator from Oklahoma [Mr. KERR] and the distinguished Senator from South Carolina [Mr. JOHNSTON] that the history of all recessions or depressions has been preceded by drastic drops in the purchasing power of the farmer.

There is not any reason why we should have a depression at this time, but if the farmer's purchasing power is going to be cut and cut, as will happen as a result of the bill recommended in the conference report, then I am afraid that there may be a repetition. At least I wish to point out that this is not what the people of America were promised. They were promised something entirely different. They have been let down. The agreements made with the people have been abandoned.

I at least want the RECORD to show that many of us on this side of the aisle, and some Senators on the other side of the aisle, realize the catastrophe that is about to be visited upon the American farmer by the legislation proposed in the conference report.

Mr. FULBRIGHT. Mr. President—  
The PRESIDING OFFICER. The Senator from Arkansas.

Mr. KNOWLAND. Mr. President, will the Senator yield so that I may have a matter printed in the RECORD?

Mr. FULBRIGHT. I yield for that purpose.

Mr. KNOWLAND. I ask unanimous consent to have printed in the body of the RECORD at this point in my remarks the vote in the Senate in 1949 relative to flexible price supports.

There being no objection, the vote was ordered to be printed in the RECORD, as follows:

[81st Cong., 1st sess.]

VOTE NO. 226

(CONGRESSIONAL RECORD, vol. 95, pt. 11, p. 15008)

SUBJECT: FARM PRICE SUPPORT (H. R. 5345)

Synopsis: Vote on motion to agree to the conference report on the Anderson farm bill. The report was a compromise between the high-support schedule of the House bill and the sliding scale of supports passed by the Senate. It embodied the principle of flexibility as a long-range peacetime policy, but assured high prices for basic commodities during a 4-year transitory period. Note: Those opposing the report contended that it would mean higher prices for the consumer and higher governmental costs in carrying out its objectives.

Action: Agreed to.

Excerpts from the Congressional Record

Mr. ANDERSON. Mr. President, on behalf of the Senator from Oklahoma [Mr. THOMAS] I submit a conference report on House bill 5345, to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes, and I ask unanimous consent for its present consideration.

(Conference report with statement of managers is attached hereto.)

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. IVES. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the conference report. The yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk called the roll.

Mr. IVES (when Mr. Dulles' name was called). The junior Senator from New York [Mr. DULLES] has a pair with the senior Senator from Minnesota [Mr. THYE]. If the junior Senator from New York were present, he would vote "nay." If the senior Senator from Minnesota were present, he would vote "yea."

Mr. MCCARTHY (when his name was called). I have a pair with the senior Senator from Ohio [Mr. TAFT]. If he were present and voting, he would vote "nay," and if I were permitted to vote, I would vote "yea."

The rollcall was concluded.

Mr. LUCAS. The Senator from Virginia [Mr. BYRD], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Washington [Mr. MAGNUSON] are detained on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from South Carolina [Mr. MAYBANK], the Senator from Nevada [Mr. MCCARRAN], the Senator from Arkansas [Mr. MCLELLAN], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], and the Senator from Maryland [Mr. TYDINGS] are absent by leave of the Senate on official business.

The Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GREEN], and the Senator from Oklahoma [Mr. THOMAS] are absent on official committee business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

The Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. MYERS], the Senator from Idaho [Mr. TAYLOR], and the Senator from Kentucky [Mr. WITHERS] are absent on public business.

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senators from South Carolina [Mr. JOHNSTON and Mr. MAYBANK], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. MCLELLAN], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. MYERS], the Senator from Alabama [Mr. SPARKMAN], the Senator from Idaho [Mr. TAYLOR], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Nebraska [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], and the Senator from New Jersey [Mr. SMITH] are absent on official business with leave of the Senate.

The Senator from New Jersey [Mr. HENRICKSON], the Senator from Kansas [Mr. REED], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Michigan [Mr. FERGUSON], who is absent on official committee business, is paired with the Senator from Indiana [Mr. CAPEHART], who is absent on official business. If present and voting, the

Senator from Michigan would vote "nay" and the Senator from Indiana would vote "yea."

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from New York [Mr. DULLES], who is absent by leave of the Senate, is paired with the Senator from Minnesota [Mr. THYE], who is absent on official committee business. Their pair has been previously announced by the senior Senator from New York [Mr. IVES].

The Senator from South Dakota [Mr. MUNDT] is absent on official business with leave of the Senate. If present and voting, the Senator from South Dakota would vote "yea."

The Senator from Ohio [Mr. TAFT] is necessarily absent and his pair has been previously announced by the Senator from Wisconsin [Mr. MCCARTHY].

The Senator from Indiana [Mr. JENNER] is absent on official committee business.

The Senator from Washington [Mr. CAIN] and the Senator from Pennsylvania [Mr. MARTIN] are detained on official business.

The result was announced—yeas 46, nays 7, as follows:

Yeas—46: Aiken, Anderson, Brewster, Chapman, Connally, Cordon, Donnell, Downey, Dworshak, Ecton, Fulbright, George, Graham, Gurney, Hayden, Hickenlooper, Hill, Hoey, Holland, Johnson of Colorado, Johnson of Texas, Kem, Kerr, Kilgore, Knowland, Langer, Leahy, Long, Lucas, McFarland, McKellar, McMahon, Malone, Millikin, Morse, Neely, O'Connor, O'Mahoney, Pepper, Russell, Schoeppel, Smith of Maine, Thomas of Utah, Watkins, Wherry, Young.

Nays—7: Baldwin, Bridges, Ives, Lodge, Saltonstall, Tobey, Williams.

Not voting—43: Bricker, Butler, Byrd, Cain, Capehart, Chavez, Douglas, Dulles, Eastland, Ellender, Ferguson, Flanders, Frear, Gillette, Green, Hendrickson, Humphrey, Hunt, Jenner, Johnston of S. C., Kefauver, McCarran, McCarthy, McClellan, Magnuson, Martin, Maybank, Mundt, Murray, Myers, Reed, Robertson, Smith of N. J., Sparkman, Stennis, Taft, Taylor, Thye, Thomas of Okla., Tydings, Vandenberg, Wiley, Withers.

So the conference report was agreed to.

#### Analysis of vote

	Repub- licans	Demo- crats
Yeas (46)-----	19	27
Nays (7)-----	7	0
Not voting (43)-----	18	25
Positions of Senators not voting:		
Paired "yea"-----	13	0
Paired "nay"-----	3	0
Not paired, position "yea"-----	1	19
Not paired, no position-----	11	6
Total -----	44	52

<sup>1</sup> Capehart, McCarthy, Thye.

<sup>2</sup> Dulles, Ferguson, Taft.

<sup>3</sup> Mundt.

<sup>4</sup> Bricker, Butler, Cain, Flanders, Hendrickson, Jenner, Martin, Reed, Smith (N. J.), Vandenberg, Wiley.

<sup>5</sup> Chavez, Douglas, Eastland, Ellender, Green, Humphrey, Hunt, Johnston (S. C.), Kefauver, Magnuson, Maybank, McClellan, Murray, Myers, Sparkman, Stennis, Taylor, Thomas (Okla.), Tydings.

<sup>6</sup> Byrd, Frear, Gillette, McCarran, Robertson, Withers.

Mr. FULBRIGHT. Mr. President, I shall not detain the Senate long. I merely wish to make my position clear for the RECORD, because I understand, at least, there is some doubt as to whether there may be a record vote on the conference report. I voted against the principle of flexible supports during the consideration of the bill itself, and I shall



vote against the acceptance of the conference report.

It seems to me extremely unfortunate that at this particular time we should pass a bill which threatens the future of the farmers, as I believe this bill does. In my own State we are suffering from one of the worst droughts in our history. This is really the fourth year of a severe drought.

I particularly wish to commend the statement of the Senator from Oklahoma with regard to this conference report and I associate myself with his statement. His State is suffering from a very similar drought. As a matter of fact, the reality is that the decrease in prices of dairy products in particular is already adding to the misery of the farmers in my State, and of farmers of that entire area as a whole.

I also should like to associate myself with what has been said with regard to the effect of the increase in tariffs at the same time supports on agricultural products are being decreased.

While I recognize the promise that was made by the present occupant of the White House, and I think that is an important matter, my principal criticism is on another basis. I simply think it is extremely unwise for the welfare, not only of the farmers, but of the people of the country as a whole, because the bill will throw our economy out of balance. As has been so well stated, it will put the farmer at a disadvantage in comparison with the other economic groups. It has been well stated that all these years farmers have been at the lowest economic level for a large segment of our economy, but the bill will further increase the disparity that exists between the farmers and the various other economic groups of the country. That is all I feel it is necessary to say at this moment.

#### THREAT OF INVASION OF FORMOSA

I wish to make a brief statement about another matter, about which I am reminded. I think it is appropriate because of the statement made about the difference between the promises made at the last election with regard to price supports and the characterization by the President of another matter in his speech on the state of the Union on February 2, 1953. This has nothing to do, I may say, with the conference report, but it is very short and I should like to read it. I have in my hand a statement appearing on the ticker tape. I should like to read the few paragraphs it contains. It is with regard to the President's press conference today.

The President's discussion of the war dangers involving Formosa was terse and to the point.

He was asked what would happen if Chinese Communist forces, reported massed on the mainland preparatory to an attack of the national stronghold, suddenly invaded Formosa in force.

He referred back to his order of January 1953, instructing the Seventh Fleet to continue to protect Formosa, but not strangle the movement of national forces. This order, he said, was still in force.

Then to the particular point of what might happen in this Far Eastern tension area, the President said any invasion of Formosa would have to run over the Seventh Fleet.

Asked whether he was prepared to use any other forms of American strength to combat a Formosan invasion, the President said he had not had a military discussion on this point.

As for the legislation to outlaw the Communist Party, Mr. Eisenhower said things were happening so fast that many people were confused. He declined to discuss the action in the Senate which this afternoon approved an amendment making membership in the Communist Party a crime.

The point I particularly wanted to bring to the attention of the Senate was with regard to Formosa and the President's order.

In contrast to that, I wish to read two paragraphs from the President's speech to the Congress on February 2, 1953, appearing in the CONGRESSIONAL RECORD, volume 99, part 1, page 749. This is the President speaking:

In June 1950, following the aggressive attack on the Republic of Korea, the United States Seventh Fleet was instructed both to prevent attack upon Formosa and also to insure that Formosa should not be used as a base of operations against the Chinese Communist mainland.

This has meant, in effect, that the United States Navy was required to serve as a defensive arm of Communist China. Regardless of the situation in 1950, since the date of that order the Chinese Communists have invaded Korea to attack the United Nations forces there. They have consistently rejected the proposals of the United Nations command for an armistice. They recently joined with Soviet Russia in rejecting the armistice proposal sponsored in the United Nations by the Government of India. This proposal had been accepted by the United States and 53 other nations.

Consequently there is no longer any logic or sense in a condition that required the United States Navy to assume defensive responsibilities on behalf of the Chinese Communists. [Applause.]

I well recall the speech, and the greatest applause in the whole speech was on the very statements I have just read, as the RECORD shows.

This permitted those Communists, with greater impunity, to kill our soldiers and those of our United Nations allies, in Korea.

I am, therefore, issuing instructions that the Seventh Fleet no longer be employed to shield Communist China. [Applause.]

Applause again shown in the RECORD.

Permit me to make crystal clear, this order implies no aggressive intent on our part. But we certainly have no obligation to protect a nation fighting us in Korea. [Applause.]

Mr. President, I again emphasize that this is the President of the United States speaking:

I am, therefore, issuing instructions that the fleet no longer be employed to shield Communist China.

Today, continuing the statement that I started to read a moment ago, this is what the President said:

Mr. Eisenhower told his news conference in unequivocal terms that 1950 orders to the fleet to protect Formosa are still in force.

There have been reports of a tremendous military buildup by Red China on the mainland area opposite the Nationalist-held island of Formosa. There have been accompanying statements by top Communist Chinese leaders about conquering Formosa.

Mr. President, we have been told that Chiang Kai-shek has 600,000 troops on

Formosa; and there the Chinese Communists are building up a force of 100,000 troops. I should say that the 600,000 could hold their own against the 100,000. But be that as it may, I read further from the ticker tape:

The President was asked what would happen if the Chinese Reds launched an attack in force.

He recalled that orders went to the fleet in early 1953 regarding the defense of Formosa. He said these orders merely reaffirmed the fleet's instructions in effect since 1950, when the Korean war began, to guard Formosa against attack.

Mr. President, contrast that with what he said in his speech to the Congress. I read further:

Those orders are still in force, the President said.

Any invasion of Formosa would have to run over the 7th Fleet, he added.

And so on, as I stated a moment ago.

Mr. President, as a junior member of the Foreign Relations Committee, I must say that such doubletalk completely confuses me. I cannot tell what the President really meant.

Mr. KNOWLAND. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I am glad to yield for an explanation.

Mr. KNOWLAND. I have been trying to follow as closely as possible the remarks of the Senator from Arkansas, with whom I serve on the Foreign Relations Committee. But I have not been quite able to understand his point. I see nothing inconsistent between the President's speech before the joint session of the two Houses of Congress, when he said that the United States fleet would no longer be used to prevent the Government of the Republic of China from moving against the Chinese Communist mainland, and the President's statement at this time that the policy which the Government has followed since 1950—the policy of not permitting the Chinese Communists to move against Formosa—will be continued. In other words, he is continuing half of the policy, but he has abandoned the other half of the policy.

So I do not quite understand the point the Senator from Arkansas is making.

Mr. FULBRIGHT. I shall refer to the speech the President made on February 2, just after he had been inaugurated. At that time he said—and I was present, and I clearly understood the intention, and I think this language interprets it quite correctly:

I am therefore issuing instructions that the 7th Fleet no longer be employed to shield Communist China.

The President had only one purpose in mind, and that was to leave with Congress and with the entire country the impression that the previous administration—the Democratic administration—had been using our 7th Fleet only to protect the Communists from Chiang Kai-shek.

The Senator from California will remember that the common expression in the Senate and in the country at that time was that President Eisenhower had “unleashed Chiang Kai-shek,” so that he could then attack the Chinese main-

land. That entire speech can be subject to no other interpretation.

Mr. KNOWLAND. Mr. President, will the Senator from Arkansas yield further to me?

Mr. FULBRIGHT. I yield.

Mr. KNOWLAND. I do not think the President of the United States can be held responsible for what newspaper headlines may be or for how his speech may be interpreted. However, I think it was very clear that the part of the policy which was to prevent the Government of the Republic of China from operating against the Communist mainland would no longer be in force, but that the part of the policy of the previous administration which recognized that the loss of Formosa would be a strategic loss to the Government and the people of the United States and to the rest of the free world would continue to be in force. That is a perfectly consistent policy, because under the prior administration the Department of State itself made clear in a written document that the most strategic location in the Far East was the Island of Formosa, from which the Japanese launched their attacks against southeast Asia and the Philippines.

Mr. FULBRIGHT. I think it is quite clear that what I read was not a headline, but was the language of the speech the President himself made to Congress.

But in the President's statement today, as I have read the statement to the Senate, he takes an entirely different position on the whole matter.

If the Senator from California wishes to ignore the clear implications and clear meaning of the language the President used in his address to Congress in February, of course the Senator from California has a right to do so. But I think any fair-minded person would say that the President has completely reversed his position in regard to that fleet; and I think that indicates—it does to me, at least—that in the field of foreign relations he is staying no closer to his position in 1953 than he is in his agricultural policy.

Mr. MORSE. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I wish to say respectfully, and, I hope, as a fair-minded person, that I think the Senator from California is completely correct in the interpretation he makes of the President's state of the Union speech. The President did not say, either by specific terms or, in my judgment, by implication, that we were going to give up American interests in Formosa.

What the President did say—and I think that is what produced the applause on that occasion—was that no longer would we prevent the Generalissimo from invading the mainland of China.

Mr. FULBRIGHT. Does the Senator from Oregon really think there was any reality to such a supposed threat? Does the Senator from Oregon think Chiang Kai-shek was then prepared to invade the mainland of China, or that he is now prepared to do so?

Mr. MORSE. Personally, I have never thought he was capable of conducting much of a raid on the mainland of China. But I am not sure that the

President, when he made his state of the Union speech, was fully informed as to what the status of the Generalissimo's troops was.

But from the language the Senator from Arkansas has read, I do not think we can read into the President's language the meaning that America would give up her interests in Formosa if the Chinese Reds should invade Formosa.

Mr. FULBRIGHT. Of course he did not mean that; and that is not what I said.

His main, clear purpose was to leave the impression that the preceding administration was soft toward communism. That was the purpose. It had nothing to do, in my opinion, with the military realities of the situation.

The Senator would not for a moment tell the Senate that he thinks there was the slightest danger of an invasion by Chiang Kai-shek of the mainland of China in February 1953, or now, or at any other time since the Chiang Kai-shek left the mainland of China. That statement was clearly for a political purpose.

Mr. MORSE. No; I do not take the position of the Senator from Arkansas at all. Up to that time, I was a member of the Armed Services Committee, and there appeared before us in the committee military officials who led us to believe that such an invasion of the mainland might take place.

Mr. FULBRIGHT. But such statements cannot be relied upon to any particular extent, because in the committee we had a high military official of the Government—only a month before Dien Bien Phu—assure us that there was not the slightest thing to worry about in connection with Indochina. That is a matter of record. Both Admiral Radford and the Secretary of State assured us of that.

Of course it is extremely difficult for the State Department to obtain accurate information from the Foreign Service, because the Foreign Service has been so mistreated by the Senate, that I think it is very difficult for the State Department to get accurate information from the Foreign Service at this time; and I attribute the misleading statements made by State Department officials partly to that, at least, because they are unable to obtain accurate information from our officials abroad.

But this is a matter of record. I was present at the meeting, and there was great enthusiasm. It was not enthusiasm because they thought that at last Formosa would be safe from the Communists, but it was enthusiasm at the very clever dig made at the Democrats, on the theory that they had been soft toward communism, and that we had sent the Seventh Fleet there for no purpose other than to protect Red China from an invasion by Chiang Kai-shek. That was the clear reason for it and the meaning and understanding that we got from it when the President made that statement.

Mr. MONRONEY. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. MONRONEY. Let me ask the distinguished junior Senator from Arkansas if it is not a fact that constantly, day after day after day after

day, during the campaign, through September, October, and early November 1952, the Nation was told by those who were speaking for the Republican Party that, once their party came into power, it would remove the 7th Fleet from protecting the flank of the Communists in that sea, and that all the campaign propaganda was directed to the fact that President Truman was using the 7th Fleet as an instrumentality to protect the flank of the troops of Red China.

In today's announcement, which the distinguished junior Senator from Arkansas has read to the Senate, the President tells the press and the world that he was reissuing—in 1953—the orders which were standing since 1950.

Those were the orders which President Truman gave to the Seventh Fleet, and today the President tells us that he reissued in 1953 the orders putting the Seventh Fleet where it was stationed by President Truman in 1950.

Mr. FULBRIGHT. That is exactly true. The Senator from California says he did not see the point. The ticker statement says:

He recalled that orders went to the fleet in early 1953 regarding the defense of Formosa. He said these orders merely reaffirmed the fleet's instructions in effect since 1950, when the Korean war began, to guard Formosa against attack.

That is what the ticker tape says, which is a very different thing from what the President said to the Congress in February 1953.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the pending question before the Senate?

The PRESIDING OFFICER. The pending question is on agreeing to the conference report on the farm bill.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. MORSE. Mr. President, I wish to make a brief comment on the foreign policy observation of the Senator from Arkansas, [Mr. FULBRIGHT] because I do not think we should conclude the session tonight, after hearing the Senator's interpretation of the President's statement, without at least someone expressing a different point of view, if such is his conviction.

I think it is pretty well known in the Senate that I have many differences with the President on both foreign and domestic policy. I recall very well the President's state of the Union speech, and I think the language which the Senator from Arkansas has read is subject to the very clear interpretation that what the President said in the state of the Union speech on that occasion was that no longer would the 7th Fleet be used to prevent an invasion of the mainland of China by the Generalissimo's troops. I think that is all he said. I do not think there is a single word in the statement the President made in his state of the Union message which would justify the inference that if the Red Chinese should mass on the mainland across from Formosa and seek to invade Formosa we would not do anything about protecting American interests in Formosa.



We have taken the position for some years, Mr. President, that as a matter of American foreign policy in the Pacific we felt Formosa was vital to American interests in the Pacific, at least for now.

I think all the President said in his state of the Union message was that if the generalissimo wanted to carry on war with the Red Chinese on the mainland we no longer were going to do what we could, by using the Seventh Fleet, to prevent that conflict from taking place in that part of Asia. But I do not think the President engaged, on that occasion, at least, in any doubletalk; and I do not think that there was any implication that we would let the Red Chinese proceed to take over Formosa if they could defeat the Nationalist Chinese.

We learned some weeks later something of which the President should have notified us in his speech. We learned, as a result of a press release, that there was a definite understanding between this administration and the generalissimo that if he planned an invasion of the mainland of China, there would be first a so-called clearance with the White House.

But I wish to say with respect to the President's statement today, which the Senator from Arkansas [Mr. FULBRIGHT] has read from the ticker, that when the President refers to the policy of the United States in Formosa he refers to a policy that was in existence long before 1950. Prior to 1950 the military witnesses from the Pentagon Building were testifying before the Armed Services Committee that we had no intention of standing by and letting Red China take over Formosa. That was the American military policy prior to 1950.

There is going to come a time, Mr. President, after there is some chance of peace in the world, when I think the Formosa issue is going to be settled in an international judicial tribunal, and not by force of arms. I do not know how many years away that is—maybe 50, 75, or 100 years. In that judicial tribunal the determination will be made as to who, under international law, has the right to exercise territorial and governmental jurisdiction over Formosa.

I wish to say—and I say it with the highest of respect for the foreign policy views of my friend from Arkansas [Mr. FULBRIGHT]—that I do not think the President's press statement on this matter today and the President's state of the Union message in 1953 are subject to the interpretations which the Senator has given to them tonight.

While I am on my feet, Mr. President, I wish to make a very brief statement with respect to the conference report on the farm bill. I am opposed to the conference report, as I was opposed to the farm bill when it was before the Senate. I am opposed to it, Mr. President, because in my judgment the program of flexible supports let down the American farmer, and presents the danger that the American farmer will be taken into a recession.

I think the so-called subsidy paid by American taxpayers for the 90 percent of parity prices for farmers is a very cheap premium on an insurance policy for prosperity for the American farmer.

I have heard no successful rebuttal to the statement which I first heard from the lips of the Senator from Alabama [Mr. HILL] early this year, when he presented the figures on the cost of the parity program to the American taxpayer.

I understand the Senator from Tennessee [Mr. KEFAUVER] has introduced into the RECORD tonight supporting testimony bearing out the cost figures first offered by the Senator from Alabama [Mr. HILL].

During the course of the debate on the bill itself, I believe the Senator from Minnesota [Mr. THYE] presented similar evidence which supports the figure that the Senator from Alabama [Mr. HILL] first used here on the floor of the Senate; namely, that the total cost of the so-called farm-subsidy program is about 35 cents per person per year.

I wish to say, Mr. President, that payment is a cheap premium for the American people to pay for farm prosperity. As was brought out by the Senator from Alabama [Mr. HILL] and the Senator from Tennessee [Mr. KEFAUVER] and others during the course of the debate, it does not even equal, Mr. President, the subsidies which are given to magazine publishers in this country, who are doing their best editorially to impose upon the American farmer this flexible support program.

I shall be very proud tonight, on the basis of my farm record here in the Senate, to join with those who will vote against this conference report, because when we do, in my judgment, we are voting for the interests of the American farmer.

I ask, Mr. President, for the yeas and nays on the question of agreeing to the conference report.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. STENNIS. Mr. President, will the Senator from California withhold his suggestion for a very brief discussion?

Mr. KNOWLAND. I withhold my request.

Mr. STENNIS. Mr. President, there is one phase of this bill which has not been given very much attention in the debate. I should like to have the attention of the Senator from Vermont [Mr. AIKEN].

That phase is the question of diverted acres. There is a provision in the final draft of the bill with reference to diverted acres which is different from the provision on the same subject when the bill passed the Senate.

Mr. President, I wish to read very briefly what the report says about the three points involved with reference to diverted acres.

The report reads:

The substitute—

Meaning the bill as it is now before us—

has modified the Senate provision substantially and provides (1) that, in administering any programs for diverted acres, the Secretary may make his regulations applicable on an appropriate geographical basis.

The question I wish to propound to the Senator from Vermont is this. As I understand, the program can be applied on a geographical basis, depending on conditions. However, is it the idea of the Senator from Vermont that the program of controlling diverted acres should immediately apply to all the diverted acres, or should it be put into effect gradually; that is, a reasonable percent the first year, and perhaps a greater percent the next year?

Mr. AIKEN. It is perfectly obvious that the Secretary of Agriculture would have to apply controls to the diverted acres geographically, and take into consideration the condition of the areas. The conference report contains a proviso that it shall be handled in such a way in areas where there has been a disaster of any kind so as to restore normal practices as rapidly as possible.

Mr. STENNIS. That point is covered in the report. That is the point with respect to semiarid areas. However, will the diverted-acreage program go into effect all of a sudden on a 100-percent basis, or will it be put into effect gradually and developed? Farmers are not prepared for it. It is something that has not been required heretofore. To immediately force this program with respect to all diverted acres would have a very severe result.

Mr. AIKEN. In my opinion, we would have to have some experience before we could apply it on a general scale. That is my opinion. There may be those who differ with me.

Mr. STENNIS. The Senator has in mind that for the first year a relatively small percent would be applied, and the next year perhaps a larger percent, and the farmer could adjust himself to the change?

Mr. AIKEN. I believe the Senator from Mississippi can safely assume it. This year there has been no control at all with reference to the acres that were supposed to have been diverted. We have an increase of around 56 percent in the planting of barley, and I believe 51 percent on sorghum and other crops. I think some experience will be helpful and necessary before we can get a proper application of control. The Senator from Mississippi can safely assume that it will be handled in such a way as to bring about as little hardship as possible on anyone.

Mr. STENNIS. In other words, it would be a program of moderation, with time to prepare from year to year?

Mr. AIKEN. That is my opinion.

Mr. STENNIS. I thank the Senator very much.

Mr. THYE. Mr. President—

Mr. STENNIS. I understood the Senator from Mississippi had the floor.

Mr. KNOWLAND. I have the floor.

Mr. STENNIS. The Senator withheld his request for a quorum. It is all right with me, but—

Mr. KNOWLAND. I did not know that I had yielded the floor. I rose to suggest the absence of a quorum. I have just talked with the acting minority leader, and I was about to move that the Senate stand in recess until 10 o'clock tomorrow morning.

Mr. STENNIS. I will take only 1 minute.

Mr. KNOWLAND. Mr. President, I yield further to the Senator from Mississippi.

Mr. STENNIS. Mr. President, may I ask the Senator from New Mexico one question?

Mr. THYE. All I wanted to say—  
Mr. STENNIS. May I ask this question of the Senator from New Mexico? I discussed this point with the Senator from New Mexico earlier today, and I should like to address this question to him. With respect to the program on diverted acres, I should like to ask him whether it will be a program of moderation in the beginning.

Mr. ANDERSON. I would say to the Senator from Mississippi that the only answer the Secretary of Agriculture can give is contained in the proposed legislation itself. In developing this program the Secretary of Agriculture would naturally make it as moderate as he could in the beginning. If there was not a proper response on the part of farmers, he would naturally have to tighten up. Surely in the beginning he would make it a moderate program.

Secondly, I think he would have to judge a little by what was going to be done with the land. If, for example, the land was to be moved from cotton into a crop that was itself in a very critical condition, he would have to be stronger in his control than if it were being moved into a crop that was not in a critical condition.

Therefore, I believe the Secretary of Agriculture, as this language contemplates, has complete authority to work out a program which I hope will be a moderate program, and that is what is suggested to him.

Mr. STENNIS. The Senator therefore understands that it will be a program of moderation and gradual development. Is that right?

Mr. ANDERSON. Yes.

Mr. STENNIS. I thank the Senator very much. I would be glad to yield now to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator will be in order.

Mr. KNOWLAND. Mr. President, I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, the reason I sought recognition was that while I was acting as majority leader this afternoon the Senator from North Dakota [Mr. LANGER] asked me specifically whether there would be a record vote this evening. I told the Senator from North Dakota it was my information that there would not be a record vote. Therefore the Senator left the floor. If we were to have a record vote, I would feel that I had erred greatly, that I had misinformed one of my colleagues, and that there would have been committed an error that should not have been committed.

Mr. STENNIS. Mr. President, I thank the distinguished majority leader for yielding to me.

Mr. MURRAY. Mr. President, before the vote on this conference report is taken, I want the RECORD to show that I regard the action of this Republican Congress with respect to America's

farmers as a direct and complete violation of the pledge made to the American people by the Republican candidate for the Presidency in 1952. The farm people of America, the merchants and businessmen of rural America, in fact, the big-business men, industrialists, and the workers of our great urban centers were led to believe in 1952 that the Republican Party had finally and belatedly realized that the prosperity of every segment of America's economy is directly dependent upon the continued prosperity of America's farmers.

The action taken by this Republican Congress with respect to parity prices makes it crystal clear that in an obvious bid for votes the Republican leaders were willing in the 1952 campaign to pretend that which they did not believe.

I refuse to vote for this measure, Mr. President. I refuse to vote for it because there is no question in my mind but that this so-called flexible parity plan, if allowed to continue, will be ruinous not only to American agriculture but American business and industry as well. The ruin of America's farm family life under the last Republican administration in the 1920's heralded the collapse and ruin of our entire economic life at the close of that decade. This conference report represents the first step toward a repetition of that desperate economic experience. However, Mr. President, I must say that while this action of Congress represents a devastating blow to the immediate welfare of our farm families, I am equally convinced that it will not have the same tragic effect on our entire economy as did the sell-out of the farmers in the 1920's. It will not have that effect, Mr. President, for just one reason: That reason is that the farmers, the workers, and the businessmen of America have well learned the economic facts of life, and as a result of this defalcation of Republican promises, I am convinced that they will go to the polls this November to return the Democratic Party to control and that the Democratic Party early in 1955 will do what the Republican Party failed to do. We will restore full parity prices. We will stop this onslaught on the farm families of America, and by so doing we will protect and reestablish the basic conditions of prosperity throughout the country.

Mr. KNOWLAND and Mr. RUSSELL addressed the Chair.

The PRESIDING OFFICER. The Senator from California has the floor.

Mr. RUSSELL. Mr. President, I do not understand how this floor is farmed out, without any other Senator being recognized.

Mr. KNOWLAND. Mr. President, I have tried to be courteous to Senators on both sides of the aisle. The hour is now a quarter to twelve. Inasmuch as there had been indications on both sides of the aisle that there would not be a yea-and-nay vote this evening, a number of Senators have departed for their homes.

I feel that if a yea-and-nay vote were ordered—and it has been ordered—it would be my responsibility to suggest the absence of a quorum so as to give Sena-

tors who are not present, who have gone home, an opportunity to return to the Senate. I think it is not unreasonable, under those circumstances, for the majority leader, at this hour of the night, to suggest, under all the circumstances, that the Senate stand in recess until 10 o'clock tomorrow.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. This has been a very remarkable proceeding. The majority leader has kept 70 Senators sitting here since about 8 o'clock, ready to vote, and then it is revealed, after we have sat here for 4 hours, that there has been some agreement that we shall not be permitted to have a vote tonight. I have never before seen anything of that nature.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Mr. President, although the minority leader did not ask for a yea-and-nay vote on this question, he asked the majority leader if he planned to have a vote. The majority leader did not give me his assurance that there would be a yea-and-nay vote. The majority leader wanted to bring the conference report up tonight. I conferred with interested Senators on the minority side, and after conferring with them I assured the majority leader that we were ready to proceed with the conference report. But it never occurred to me that we would have to consider it until a quarter of 12 and then go home without a vote. There has been no assurance that there would be no yea-and-nay vote. The majority leader did not give me any such assurance.

Mr. KNOWLAND. Perhaps the majority leader is mistaken. This is the first time, I think, that I have misunderstood what I thought was the understanding across the aisle; and I move that the Senate stand in recess until 10 o'clock tomorrow morning.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. Was there not an understanding that when the Senate had completed its business for the day it would stand in recess?

The PRESIDING OFFICER. The Senator is correct.

Mr. KERR. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. Does not that unanimous consent agreement have some significance with reference to the present situation?

Mr. KNOWLAND. I will say to the distinguished Senator that that is the customary agreement that is entered into. Sometimes it is entered into in the middle of debate on a bill, sometimes at the completion of the debate, and sometimes after a day of discussion.

Mr. RUSSELL. Mr. President, I ask for the yeas and nays on the motion to recess.



The PRESIDING OFFICER. The Chair will state—

Mr. RUSSELL. Does the Chair rule that a Senator has no right to request the yeas and nays?

The PRESIDING OFFICER. The Senator from California has moved that the Senate take a recess, and that is the question before the Senate.

Mr. RUSSELL. Mr. President, I have requested the yeas and nays; and I have that right.

The PRESIDING OFFICER. The Chair has not questioned the Senator's right.

Mr. RUSSELL. The Chair was very slow about indicating that I had any rights of any kind.

The PRESIDING OFFICER. The question is on agreeing to the motion to take a recess until 10 o'clock tomorrow morning. On this question the yeas and nays have been requested.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	McCarran
Anderson	Hendrickson	McCarthy
Barrett	Hennings	McClellan
Beall	Hickenlooper	Millikin
Bennett	Hill	Monroney
Bowring	Holland	Morse
Bricker	Humphrey	Mundt
Bush	Ives	Murray
Carlson	Jackson	Neely
Case	Johnson, Colo.	Pastore
Clements	Johnson, Tex.	Payne
Cooper	Johnston, S. C.	Potter
Cordon	Kefauver	Purtell
Crippa	Kennedy	Reynolds
Duff	Kerr	Russell
Dworshak	Kilgore	Saltonstall
Ellender	Knowland	Schoeppel
Ervin	Kuchel	Smathers
Ferguson	Lennon	Smith, Maine
Frear	Long	Stennis
Fulbright	Magnuson	Symington
Gillette	Malone	Thye
Goldwater	Mansfield	Williams
Green	Martin	Young

The PRESIDING OFFICER. A quorum is present.

(At this point, on the request of Mr. FERGUSON, the Presiding Officer laid before the Senate resolutions of the House of Representatives on the death of Representative PAUL W. SHAFER, of Michigan, and Mr. FERGUSON submitted a resolution, the proceedings and remarks incident to which appear at the end of today's Senate proceedings.)

Mr. RUSSELL. Mr. President, I demand the regular order.

The PRESIDING OFFICER. Does the Senator from California renew his motion to recess?

Mr. RUSSELL. The yeas and nays have been ordered on the motion to recess. The Senator from California cannot withdraw his motion.

The PRESIDING OFFICER. The Senator from California withheld his motion to enable the Senator from Michigan to make a unanimous-consent request.

Mr. RUSSELL. The yeas and nays had been ordered on the motion to recess, and the Senator from California had no right to withdraw his motion.

Mr. KNOWLAND. The Senator from Michigan was speaking to a resolution

concerning a deceased Member of the House.

Mr. RUSSELL. I did not object to that. But I observe the Senator from Vermont [Mr. AIKEN] and other Senators seeking recognition. It seems to me that instead of my being out of order on this matter, the majority leader and the Senator from Michigan [Mr. FERGUSON] might be seeking a little undue advantage from the parliamentary situation due to the death of a very great American. I did not know he was dead until now. I deeply regret to hear of his passing.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. The yeas and nays were ordered on the motion to recess, were they not?

The PRESIDING OFFICER. The yeas and nays were ordered.

Mr. KNOWLAND. Under the circumstances, a request to withdraw the motion to recess is not in order on the point of order made by the Senator from Georgia [Mr. RUSSELL].

The PRESIDING OFFICER. Only by unanimous consent.

Mr. RUSSELL. The motion can be withdrawn only by unanimous consent.

The PRESIDING OFFICER. The Chair has so stated.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that I may be permitted to withdraw the motion to recess at this time.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Reserving the right to object, Mr. President, earlier in the evening I had some conferences with the majority leader. At that time, as I stated to the Senate a moment ago, I asked the majority leader if we would have a record vote, as we have had on a number of other matters, on the conference report on the farm bill, if it were taken up. He said he would not ask for a record vote. I said I would not ask for a record vote.

In light of that conversation—and that is the way I remember it—I wish to ask the majority leader this question: Did the majority leader understand me to say that there would be no record vote this evening?

Mr. KNOWLAND. I did not understand the minority leader or his representative to guarantee me under blood bond that a sufficient number of Senators would not raise their hands to demand a record vote, but there was what I thought was a general understanding on both sides of the aisle that there would be no record vote this evening.

Mr. JOHNSON of Texas. Did the Senator from Texas give to the Senator from California any assurance that there would be no record vote, other than his own assurance that he was not in favor of a record vote?

Mr. KNOWLAND. No; but I felt under all the circumstances and from the conversations that went on, some while the Senator was here and some while he was not, that there would not be a record vote this evening. I am not blaming the Senator, because he was

not even present when this "hassle" finally developed.

Under the circumstances, as majority leader of the Senate, with the understanding which at least I had in good faith, I felt that I was perfectly justified in moving to recess the Senate until 10 o'clock tomorrow morning, because a number of Senators would want to be recorded if there were going to be a record vote.

If the leadership of the Senate is to be taken away under those circumstances, of course the votes may be available to do it, but I felt that in discharging my responsibility under what I thought was an understanding, I was amply justified in taking the course of action I did.

Mr. JOHNSON of Texas. Mr. President, the last thing I would ever want to happen would be for the majority leader ever to feel that he could not depend upon everything the Senator from Texas said to him. The majority leader said to me that one reason he wanted the conference report to come up this evening was in order that Senators such as the Senator from Iowa might have an opportunity to vote on it.

Mr. KNOWLAND. The Senator spoke to me earlier in the day.

Mr. JOHNSON of Texas. Some Senators expressed to me the desire that there not be a record vote, and I assured them that the minority leader would not ask for a record vote. I have no control over what 10 Senators may do.

The acting minority leader called me in my office on the telephone while I was in a very important conference, about which the Senator from California knows, and he told me that some Senators wanted a record vote. I told him that I had assured the majority leader that, so far as I was concerned, I would not ask for a record vote, and I hoped he would attempt to prevail on them not to have a record vote. But once a record vote is ordered, realizing the situation of the Senator from Iowa and other Senators as related to me by the majority leader, I know of no reason why we should keep them here until 12 o'clock and then recess the Senate, only to have them miss the vote on an important piece of legislation.

For that reason, I attempted to prevail upon the majority leader—

Mr. KNOWLAND. I will say to the distinguished minority leader that perhaps we should not let those outside the lodge in on all the lodge proceedings, but when I had that understanding, I went among the Members on this side of the aisle and suggested that because of the understanding I had entered into, I hoped they would not raise their hands, and, so far as I know, with the exception of the distinguished Senator from Oregon [Mr. MORSE], who is the Independent Party, over which I do not pretend to exercise even a minimum influence, I think there were very few hands raised over on this side.

Mr. JOHNSON of Texas. I wish to say to the majority leader that I was operating somewhat by remote control, but I said to the acting minority leader that I hoped he would go among Senators on

this side of the aisle and attempt to prevail on them not to ask for a record vote.

Mr. THYE. Mr. President—

Mr. JOHNSON of Texas. Evidently we did not have any more influence over some of the Members on this side of the aisle than the majority leader has over the Independent Party, and we are confronted with a reality instead of a theory. We have a larger attendance in the Senate now than I have seen all evening. I do not know if there are Members who are not present who were given assurance, but I know the minority leader did not give any Member assurance that there would not be a vote tonight, because we expected a vote.

The PRESIDING OFFICER. The question is on the unanimous-consent request of the Senator from California [Mr. KNOWLAND] to withdraw his motion to recess.

Mr. CLEMENTS. Mr. President, reserving the right to object, I am very happy—

The PRESIDING OFFICER. Does the Senator yield?

Mr. KNOWLAND. I yield. The Senator from Kentucky has a reservation.

Mr. CLEMENTS. I am very happy that the minority leader and the majority leader have both made the statements they have made in the last few minutes, because I think it justifies the observation which was made in the colloquy with the Senator from Michigan and the Senator from South Dakota by myself earlier in the evening when I suggested what they have outlined at this time. That colloquy brought about a voice vote on a bill on which some Members on the other side had desired to have a ye-a-and-nay vote.

I wish to add to what the minority leader said, that no individual Senator has control over any vote but his own. Certainly when I made that observation, I made it in the light of the statements which have been made by the minority and majority leader, and I think it was justified at that time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Mr. MUNDT. Mr. President, reserving the right to object—although certainly I shall not object—I simply wish to confirm the statement made by my good friend, the acting minority leader, about the fact that around 9 o'clock this evening, in connection with a bill on which the Senator from Delaware [Mr. WILLIAMS] and I were endeavoring to obtain a ye-a-and-nay vote—it was a bill to deny the payment of pensions to Alger Hiss and other unfaithful former Government employees—when we asked for yeas and nays there was a gratifying display of hands which looked like a forest on the great South Dakota landscape; but in the middle of that display of hands, the acting majority leader rose and said, "We have given our word that there will be no ye-a-and-nay votes, and some of the Members have left with that understanding."

Being persuaded by that, I withdraw my request for a ye-a-and-nay vote on the question of the passage of that bill.

I mention that because it seems to me that a number of our colleagues left the

Chamber with those words ringing in ears; and if they are not here at this time, to vote on the question of adoption of the conference report on the farm bill, certainly there are a great many extenuating circumstances, in view of the fact that they were so advised at that time.

It seems to me that the fair thing to do, insofar as the Senators now absent are concerned, is, consequently, to support the motion of the majority leader that the Senate take a recess until tomorrow, and on tomorrow to have the Senate vote on the question of agreeing to the conference report.

So far as I am concerned, I am here, and can vote at any time. But after other Senators had been assured there would be no ye-a-and-nay votes this evening, it seems to me it would be verging on sharp practice if suddenly a ye-a-and-nay vote were taken in the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California for unanimous consent to withdraw his motion?

The Chair hears none. Without objection, it is so ordered.

The question now is on agreeing to the conference report.

Mr. CASE subsequently said: Mr. President, I ask unanimous consent to insert in the RECORD prior to the vote on the conference report, a statement setting forth the reasons why I voted for the adoption of the report.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### STATEMENT BY SENATOR CASE

With the consent of the Senate, I state these reasons for voting for adoption of the conference report on the farm bill.

1. If the conference report is rejected we are likely to have no bill since the House of Representatives has already voted for it and many of its Members have now left Washington and have gone home or abroad.

2. If we have no bill, the 1949 act comes into force with a 75 to 90 percent sliding scale instead of the 82½ to 90 percent price support provided in this bill.

3. If we have no new law, the agriculture conservation program expires and that \$250 million program ends on the last day of this year, 1954. This means the end of soil-conservation payments which has done so much for soil and water conservation in South Dakota.

4. If we reject this bill now, we lose the set-aside of \$2½ billion worth of farm products which is necessary to avoid further cruel cuts in acreage next year. This cut in acres and a 75-percent price support could spell complete disaster to incomes.

5. If we reject this bill now we lose its authorization for use of \$50 million for purchase of milk and milk products for the school-lunch program. This will further injure milk producers.

6. If we reject this bill at this stage of proceedings, we lose the program it provides for the wool grower and that domestic industry will almost disappear.

7. If we reject this bill now, we reject the give and take of the legislative process which has been in progress for many months.

This bill represents the best upon which agreement could be had by a majority of the Congress. I shall not vote to throw it away at this stage of the proceedings in our democratic processes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], the Senator from New Jersey [Mr. SMITH], the junior Senator from New Hampshire [Mr. UPTON], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

On this vote, the senior Senator from Indiana [Mr. CAPEHART] is paired with the Senator from South Carolina [Mr. MAYBANK], and the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the senior Senator from Indiana [Mr. CAPEHART] and the Senator from Vermont [Mr. FLANDERS] would each vote "yea," and the Senator from South Carolina [Mr. MAYBANK] and the Senator from Alabama [Mr. SPARKMAN] would each vote "nay."

If present and voting, the senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the junior Senator from New Jersey [Mr. SMITH], the junior Senator from New Hampshire [Mr. UPTON], the Senator from Utah [Mr. WATKINS], and the Senator from Idaho [Mr. WELKER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Georgia [Mr. GEORGE], the Senator from Tennessee [Mr. GORE], the Senator from New York [Mr. LEHMAN], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

The Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce that the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Texas [Mr. DANIEL]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Texas would vote "nay."

I announce further that the Senator from South Carolina [Mr. MAYBANK] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from South Carolina would vote "nay," and the Senator from Indiana would vote "yea."



I announce also that the Senator from Alabama [Mr. SPARKMAN] is paired on this vote with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Vermont would vote "yea."

I announce further that if present and voting, the Senator from Illinois [Mr. DOUGLAS] would vote "yea."

Mr. BEALL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Maryland is recorded as having voted in the affirmative.

Mr. CRIPPA. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Wyoming is recorded as having voted in the affirmative.

Mr. DUFF. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Pennsylvania is recorded as having voted in the affirmative.

Mr. PAYNE. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Maine is recorded as having voted in the affirmative.

Mr. GOLDWATER. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Arizona is recorded as having voted in the affirmative.

Mr. YOUNG. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from North Dakota is recorded as having voted in the negative.

Mr. KUCHEL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from California is recorded as having voted in the affirmative.

Mr. MCCARTHY. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Wisconsin is recorded as having voted in the negative.

Mr. AIKEN. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Vermont is recorded as having voted in the affirmative.

Mr. BENNETT. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Utah is recorded as having voted in the affirmative.

Mr. PURTELL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Connecticut is recorded as having voted in the affirmative.

Mr. POTTER. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Michigan is recorded as having voted in the affirmative.

Mr. HENDRICKSON. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from New Jersey is recorded as having voted in the affirmative.

Mr. SCHOEPEL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Kansas is recorded as having voted in the affirmative.

Mr. BARRETT. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Wyoming is recorded as having voted in the affirmative.

Mr. POTTER. Mr. President, a point of order: The Senate is not in order.

Mr. CASE. Mr. President, how is the junior Senator from South Dakota recorded?

The PRESIDING OFFICER. The Senator from South Dakota is recorded as having voted in the affirmative.

Mr. SALTONSTALL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The clerk will recapitulate the vote.

The Chief Clerk recapitulated the vote.

Mr. IVES. Mr. President, I did not hear my name called. How am I recorded?

The PRESIDING OFFICER. The Senator from New York is recorded as having voted in the affirmative.

Mr. IVES. I thank the Chair very much, indeed.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE. Is it in order, before the result of the vote is announced, for a Member to state his reasons for voting as he does?

The PRESIDING OFFICER. The Chair will advise the Senator from South Dakota that during the rollcall proceedings, debate is not in order. Therefore, the answer to the inquiry of the Senator from South Dakota is "No."

Mr. CASE. Mr. President, is a unanimous-consent request in order, in order to ask permission—

The PRESIDING OFFICER. The Chair will advise the Senator from South Dakota that during the rollcall proceedings, business cannot be transacted. So the answer is "No."

Mr. McCLELLAN. Mr. President, is a request for the regular order in order?

The PRESIDING OFFICER. A Senator may request the regular order.

Mr. McCLELLAN. Mr. President, I request the regular order.

Mr. MCCARTHY. Mr. President—

The PRESIDING OFFICER. The regular order requires the announcement of the result of the vote, and the Chair will announce the result of the vote.

Mr. MCCARTHY. Mr. President, before the Chair announces the result of the vote—

The PRESIDING OFFICER. For what purpose does the Senator from Wisconsin rise?

Mr. MCCARTHY. In view of the fact that the Senate is not in order, I did not hear the recapitulation of the vote. May I ask for a recapitulation of the vote?

The PRESIDING OFFICER. The Senator from Wisconsin may make his request after the Chair has announced the result of the vote.

Mr. MCCARTHY. Mr. President, I did not hear how I was recorded. May I have that stated?

The PRESIDING OFFICER. The regular order has been requested, and the Chair will announce the result of the vote.

The result was announced—yeas 44, nays 28, as follows:

## YEAS—44

Alken	Ferguson	McCarran
Anderson	Frear	Millikin
Barrett	Gillette	Neely
Beall	Goldwater	Pastore
Bennett	Green	Payne
Bowring	Hayden	Potter
Bricker	Hendrickson	Purtell
Bush	Hickenlooper	Reynolds
Carlson	Holland	Saltonstall
Case	Ives	Schoeppel
Cordon	Kennedy	Smathers
Crippa	Knowland	Smith, Maine
Duff	Kuchel	Stennis
Dworshak	Malone	Williams
Ellender	Martin	

## NAYS—28

Clements	Johnston, S. C.	Monroney
Cooper	Kefauver	Morse
Ervin	Kerr	Mundt
Fulbright	Kilgore	Murray
Hennings	Lennon	Russell
Hill	Long	Symington
Humphrey	Magnuson	Thye
Jackson	Mansfield	Young
Johnson, Colo.	McCarthy	
Johnson, Tex.	McClellan	

## NOT VOTING—24

Bridges	Douglas	Maybank
Burke	Eastland	Robertson
Butler	Flanders	Smith, N. J.
Byrd	George	Sparkman
Capehart	Gore	Upton
Chavez	Jenner	Watkins
Daniel	Langer	Welker
Dirksen	Lehman	Wiley

So the report was agreed to.

Mr. AIKEN. Mr. President, I move that the vote whereby the conference report was agreed to be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay the motion of the Senator from Vermont on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay the motion of the Senator from Vermont on the table.

The motion to lay on the table was agreed to.

Mr. KNOWLAND. Mr. President—

The PRESIDING OFFICER. The Senator from California.

Mr. KNOWLAND. Mr. President, I do not wish to violate any rules of the Senate. I am about to move to recess; but I shall, as a matter of courtesy to both sides of the aisle, be glad to yield for insertions in the RECORD.

#### SPECIAL SUBCOMMITTEE ON INVESTIGATION OF THE COMMITTEE ON GOVERNMENT OPERATIONS—PERMISSION TO FILE REPORT WITH THE SECRETARY OF THE SENATE

Mr. MUNDT. Mr. President, I rise to propound a unanimous-consent request. I ask unanimous consent that the Special Subcommittee on Investigations of the Committee on Government Operations be authorized to file a report with the Secretary of the Senate during its recess, on behalf of the Committee on Government Operations, on the special Senate investigation on charges and countercharges involving Secretary of the Army Robert T. Stevens, John G. Adams, H. Struve Hensel, Senator Joe McCarthy, Roy M. Cohn, and Francis P. Carr, with the approval, by letter or otherwise, of a majority of the full Committee on Government Operations.

That full approval has been secured, and we very much hope to be able to file the report before the Senate recesses. However, sometimes Congress has the habit of recessing somewhat spontaneously. In order to fortify the privilege, I ask this unanimous consent.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### AMENDMENT OF TRADING WITH THE ENEMY ACT—AMENDMENTS

Mr. KILGORE submitted amendments intended to be proposed by him to the bill (S. 3423) to amend the Trading With the Enemy Act, which were ordered to lie on the table and to be printed.

#### ADDITIONAL EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following additional favorable reports of nominations were submitted:

By Mr. McCLELLAN, from the Committee on the Judiciary:

Jay Neal, of Arkansas, to be United States marshal for the western district of Arkansas, vice Cooper Hudspeth, resigned;

By Mr. LANGER, from the Committee on the Judiciary:

Henry L. Brooks, of Kentucky, to be United States district judge for the western district of Kentucky;

Charles J. Vogel, of North Dakota, to be United States circuit judge, eighth circuit, vice Walter G. Riddick, deceased; and

William C. Littlefield, of Georgia, to be United States marshal for the northern district of Georgia, vice Joe B. Harrison, resigning.

By Mr. SMITH of New Jersey, from the Committee on Foreign Relations:

Herbert Hoover, Jr., of California, to be Under Secretary of State;

Robert McClintock, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Kingdom of Cambodia; and

Charles W. Yost, of New York, a Foreign Service officer of class 1, to be Envoy Extraordinary and Minister Plenipotentiary to the Kingdom of Laos.

#### MUTUAL SECURITY APPROPRIATIONS

Mr. THYE. Mr. President, on Saturday, August 14, I took leave of the Senate by unanimous consent immediately following the roll call vote on Senator MAYBANK's amendment to the mutual security appropriations bill, H. R. 10051.

Having read the CONGRESSIONAL RECORD for the remainder of that day's session, I find the statement by the junior Senator from Wisconsin [Mr. MCCARTHY] concerning the Director of the Foreign Operations Administration, Mr. Harold E. Stassen.

I have also noted the reply of the Senator from Illinois [Mr. DIRKSEN], who was acting chairman of the Appropriations Committee during the hearings at which Mr. Stassen testified.

The Senator from Illinois was most emphatically correct in his statement as I have read it in the RECORD of Saturday.

Mr. President, Harold Stassen is one of the eminent citizens of Minnesota.

It has been my good fortune to have been acquainted with him for quite a number of years.

I first became acquainted with him when he was elected county attorney of Dakota County, Minn.

I admired Harold Stassen as county attorney for his forthrightness and honesty in that public office.

He was three times elected Governor of Minnesota.

His record as governor was outstanding.

The reorganization of State government under his leadership has proven administratively sound and has been highly beneficial to the State of Minnesota.

He cleaned up the graft, mismanagement, and misuse of public trust that had existed in the State government prior to his administration.

In all of the administrative functions in the public offices that Harold Stassen held, his honesty, frankness, and forthrightness were what won him the respect and the confidence, not only of his associates but of the public whom he served.

Harold Stassen has the courage of his convictions.

Mr. President, I want to commend the Senator from Illinois [Mr. DIRKSEN] for his positive statement to be found in the CONGRESSIONAL RECORD on page 14512, wherein he said: "I must reaffirm my statement that Governor Stassen was a forthright and a complete witness."

"I would do him a disservice if I said otherwise."

Mr. President, I was present at all of the Appropriations Committee hearings when Mr. Stassen testified on the appropriations for Mutual Security and the Foreign Operations Administration.

Therefore, I want to take this opportunity to commend the Senator from Illinois [Mr. DIRKSEN], for having made that positive statement.

I, Mr. President, have every confidence that the Director of the Foreign Operations Administration, Mr. Stassen, would give nothing but a factual and positive statement on any question.

#### DEATH OF REPRESENTATIVE PAUL W. SHAFER, OF MICHIGAN

Mr. FERGUSON. Mr. President, I ask the Chair to lay before the Senate resolutions coming over from the House of Representatives.

The PRESIDING OFFICER laid before the Senate the resolutions of the House of Representatives, which were read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,  
August 17, 1954.

*Resolved*, That the House has heard with profound sorrow the death of Hon. PAUL W. SHAFER, a Representative from the State of Michigan.

*Resolved*, That a committee of 25 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect the House do now adjourn.

Mr. FERGUSON. Mr. President, on behalf of my colleague [Mr. POTTER] and myself, I send to the desk a resolution, which I ask to have read, and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 316) was read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. PAUL W. SHAFER, late a Representative from the State of Michigan.

*Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDING OFFICER. The Chair announces that pursuant to the second resolving clause of the resolution, the Chair appoints the two Senators from Michigan [Mr. FERGUSON and Mr. POTTER] as the committee on the part of the Senate to attend the funeral for the late Representative SHAFER.

Mr. FERGUSON. Mr. President, as a further mark of respect to the memory of the late distinguished Representative from Michigan, PAUL SHAFER, I move that the Senate stand in recess until 10 o'clock a. m. today.

The motion was unanimously agreed to; and (at 12 o'clock and 31 minutes a. m., August 18, 1954) the Senate took a recess, the recess being, under the order previously entered, until 10 o'clock a. m. the same day.

#### NOMINATION

Executive nomination received by the Senate August 17 (legislative day of August 5), 1954:

##### DEPARTMENT OF STATE

Herbert Hoover, Jr., of California, to be Under Secretary of State.

## HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 17, 1954

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the source of every good and perfect gift, we thank Thee for this noon hour when we are again privileged to assemble in the fellowship of prayer.

Inspire our baffled minds and burdened hearts with vision and valor, and may we daily go forth on our quest of the true, the beautiful, and the good as crusaders, courageously following the Captain of our salvation.

Help us to look upon life as a glorious enterprise and constrain us to give ourselves resolutely to the arduous task of